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(54) **BRACHYTHERAPY DEVICE FOR  
ASYMMETRICAL IRRADIATION OF A BODY  
CAVITY**

(75) Inventors: **Paul Lubock**, Laguna Niguel, CA (US);  
**Michael L. Jones**, San Clemente, CA  
(US); **Frank R. Louw**, Carlsbad, CA  
(US)

(73) Assignee: **HOLOGIC, INC.**, Bedford, MA (US)

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(56) **References Cited**

**U.S. PATENT DOCUMENTS**

3,324,847 A	6/1967	Zoumboulis
3,502,878 A	3/1970	Stewart
3,863,073 A	1/1975	Wagner

(Continued)

**FOREIGN PATENT DOCUMENTS**

DE	2539553	3/1977
EP	0340881	10/1992

(Continued)

**OTHER PUBLICATIONS**

*SenoRX, Inc. v. Hologic, Inc.*; District Court for the District of Dela-  
ware, Case No. 1:12-cv-00173-LPS-CJB, Complaint filed Feb. 10,  
2012.

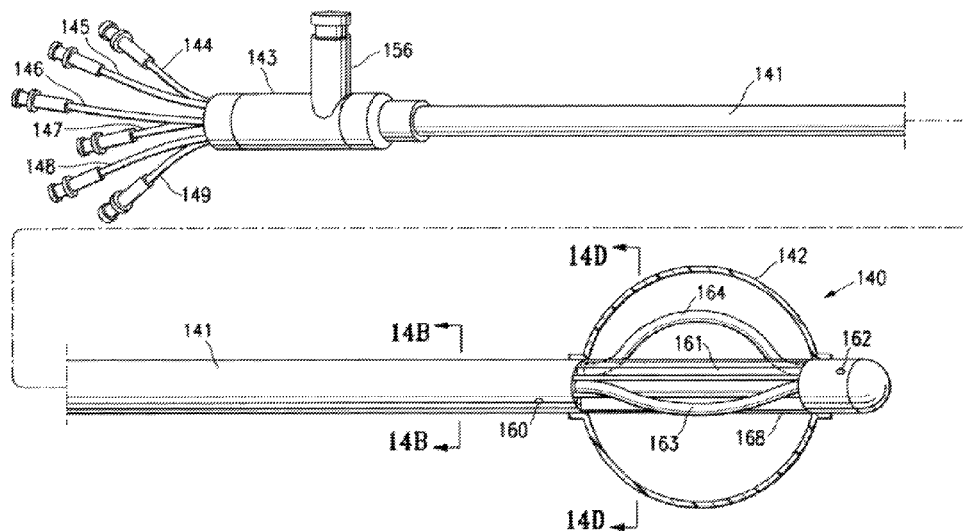
(Continued)

*Primary Examiner* — John Lacyk

(57) **ABSTRACT**

The disclosure describes devices and methods for asymmetri-  
cal irradiation at a body cavity or site, such as after removal of  
tissue, e.g. biopsy or cancer. One device includes a lumen  
which is off-set or off-settable from a longitudinal axis to  
increase the intensity of radiation received from a radiation  
source by a first tissue portion surrounding the body cavity  
and to reduce or minimize radiation received by a second  
tissue portion (e.g. healthy tissue) surrounding the body cav-  
ity.

**20 Claims, 6 Drawing Sheets**



(56)

## References Cited

## U.S. PATENT DOCUMENTS

3,872,856 A	3/1975	Clayton	5,553,111 A	9/1996	Moore et al.
3,971,950 A	7/1976	Evans et al.	5,562,594 A	10/1996	Weeks
3,975,350 A	8/1976	Hudgin et al.	5,566,221 A	10/1996	Smith et al.
4,119,094 A	10/1978	Micklus et al.	5,592,562 A	1/1997	Rooks
4,160,906 A	7/1979	Daniels et al.	5,594,769 A	1/1997	Pellegrino et al.
4,310,766 A	1/1982	Finkenzeller et al.	5,596,200 A	1/1997	Sharma et al.
4,350,169 A	9/1982	Dutcher et al.	5,598,454 A	1/1997	Franetzke et al.
4,417,576 A	11/1983	Baran	5,603,991 A	2/1997	Kupiecki et al.
4,454,106 A	6/1984	Gansow et al.	5,609,152 A	3/1997	Pellegrino et al.
4,496,557 A	1/1985	Malen et al.	5,611,767 A	3/1997	Williams
4,559,641 A	12/1985	Caugant et al.	5,616,114 A	4/1997	Thornton et al.
4,571,241 A	2/1986	Christopher	5,621,780 A	4/1997	Smith et al.
4,690,677 A	9/1987	Erb	5,624,395 A	4/1997	Mikhail et al.
4,706,269 A	11/1987	Reina et al.	5,627,869 A	5/1997	Andrew et al.
4,706,652 A	11/1987	Horowitz	5,653,683 A	8/1997	D'Andrea
4,744,099 A	5/1988	Huettenrauch et al.	5,657,362 A	8/1997	Giger et al.
4,754,745 A	7/1988	Horowitz	5,662,580 A	9/1997	Bradshaw et al.
4,763,642 A	8/1988	Horowitz	5,668,889 A	9/1997	Hara
4,773,086 A	9/1988	Fujita et al.	5,704,926 A	1/1998	Sutton
4,773,087 A	9/1988	Plewes	5,706,327 A	1/1998	Adamkowski et al.
4,819,258 A	4/1989	Kleinman et al.	5,719,952 A	2/1998	Rooks
4,821,725 A	4/1989	Azam et al.	5,720,717 A	2/1998	D'Andrea
4,821,727 A	4/1989	Levene et al.	5,724,400 A	3/1998	Swerdlhoff et al.
4,867,741 A	9/1989	Portnoy	5,735,264 A	4/1998	Siczek et al.
4,929,470 A	5/1990	Rittenhouse et al.	5,741,253 A	4/1998	Michaelson
4,969,174 A	11/1990	Scheid et al.	5,759,173 A	6/1998	Preissman et al.
4,989,227 A	1/1991	Tirelli et al.	5,769,086 A	6/1998	Ritchart et al.
4,998,917 A	3/1991	Geiser et al.	5,782,742 A	7/1998	Crocker et al.
4,998,930 A	3/1991	Lundahl	5,800,333 A	9/1998	Liprie
5,015,247 A	5/1991	Michaelson	5,803,895 A	9/1998	Kronholz et al.
5,018,176 A	5/1991	Romeas et al.	5,803,912 A	9/1998	Siczek et al.
RE33,634 E	7/1991	Yanaki	5,818,898 A	10/1998	Tsukamoto et al.
5,029,193 A	7/1991	Saffer	5,820,594 A	10/1998	Fontirroche et al.
5,051,904 A	9/1991	Griffith	5,820,717 A	10/1998	Siegenthaler
5,059,166 A	10/1991	Fischell et al.	5,828,722 A	10/1998	Ploetz et al.
5,078,142 A	1/1992	Siczek et al.	5,851,182 A	12/1998	Sahadevan
5,084,001 A	1/1992	Vant Hooft et al.	5,863,284 A	1/1999	Klein
5,084,015 A	1/1992	Moriuchi	5,863,285 A	1/1999	Coletti
5,084,022 A	1/1992	Claude	5,872,828 A	2/1999	Niklason et al.
5,106,360 A	4/1992	Ishiwara et al.	5,878,104 A	3/1999	Ploetz
5,112,303 A	5/1992	Pudenz et al.	5,896,437 A	4/1999	Ploetz
5,152,747 A	10/1992	Olivier	5,899,882 A	5/1999	Waksman et al.
5,163,075 A	11/1992	Lubinsky et al.	5,908,406 A	6/1999	Ostapchenko et al.
5,164,976 A	11/1992	Scheid et al.	5,913,813 A	6/1999	Williams et al.
5,167,622 A	12/1992	Muto	5,916,143 A	6/1999	Apple et al.
5,199,056 A	3/1993	Darrah	5,919,473 A	7/1999	Elkhoury
5,199,939 A	4/1993	Dake et al.	5,924,973 A	7/1999	Weinberger
5,227,969 A	7/1993	Waggener et al.	5,931,774 A	8/1999	Williams et al.
5,236,410 A	8/1993	Granov et al.	5,935,098 A	8/1999	Blaisdell et al.
5,240,011 A	8/1993	Assa	5,986,662 A	11/1999	Argiro et al.
5,259,847 A	11/1993	Trambert	5,993,972 A	11/1999	Reich et al.
5,289,520 A	2/1994	Pellegrino et al.	6,005,907 A	12/1999	Ploetz
5,302,168 A	4/1994	Hess	6,022,308 A	2/2000	Williams
5,312,356 A	5/1994	Engelson et al.	6,022,325 A	2/2000	Siczek et al.
5,314,518 A	5/1994	Ito et al.	6,033,357 A	3/2000	Ciezki et al.
5,336,178 A *	8/1994	Kaplan et al. .... 604/509	6,036,631 A	3/2000	McGrath et al.
5,342,305 A	8/1994	Shonk	6,050,930 A	4/2000	Teirstein
5,359,637 A	10/1994	Webber	6,075,879 A	6/2000	Roehrig et al.
5,365,562 A	11/1994	Toker	6,083,148 A	7/2000	Williams
5,381,504 A	1/1995	Novack et al.	6,086,970 A	7/2000	Ren
5,411,466 A	5/1995	Hess	6,091,841 A	7/2000	Rogers et al.
5,415,169 A	5/1995	Siczek et al.	6,093,142 A	7/2000	Ciamacco, Jr.
5,417,687 A	5/1995	Nardella et al.	6,095,966 A	8/2000	Chomenky et al.
5,422,926 A	6/1995	Smith et al.	6,137,527 A	10/2000	Abdel-Malek et al.
5,426,685 A	6/1995	Pellegrino et al.	6,141,398 A	10/2000	He et al.
5,428,658 A	6/1995	Oettinger et al.	6,143,013 A	11/2000	Samson et al.
5,429,582 A	7/1995	Williams	6,149,301 A	11/2000	Kautzer et al.
5,452,367 A	9/1995	Bick et al.	6,175,117 B1	1/2001	Komardin et al.
5,484,384 A	1/1996	Fearnot	6,196,715 B1	3/2001	Nambu et al.
5,503,613 A	4/1996	Weinberger	6,200,257 B1	3/2001	Winkler
5,506,877 A	4/1996	Niklason et al.	6,216,540 B1	4/2001	Nelson et al.
5,520,646 A	5/1996	D'Andrea	6,217,565 B1	4/2001	Cohen
5,526,394 A	6/1996	Siczek et al.	6,219,059 B1	4/2001	Argiro
5,535,817 A	7/1996	Dunne	6,233,473 B1	5/2001	Shepherd et al.
5,539,797 A	7/1996	Heidsieck et al.	6,234,952 B1	5/2001	Liprie
			6,243,441 B1	6/2001	Zur
			6,251,059 B1	6/2001	Apple et al.
			6,256,370 B1	7/2001	Yavuz
			6,256,529 B1	7/2001	Holupka et al.

(56)

## References Cited

## U.S. PATENT DOCUMENTS

6,267,775 B1	7/2001	Clerc et al.	7,123,684 B2	10/2006	Jing et al.
6,272,207 B1	8/2001	Tang	7,127,091 B2	10/2006	Op De Beek et al.
6,282,142 B1	8/2001	Miyawaki	7,142,633 B2	11/2006	Eberhard et al.
6,289,235 B1	9/2001	Webber et al.	7,171,255 B2	1/2007	Holupka et al.
6,292,530 B1	9/2001	Yavus et al.	7,201,715 B2	4/2007	Burdette et al.
6,306,074 B1	10/2001	Waksman et al.	7,214,178 B2	5/2007	Lubock
6,319,188 B1	11/2001	Lovoi	7,245,694 B2	7/2007	Jing et al.
6,327,336 B1	12/2001	Gingold et al.	7,315,607 B2	1/2008	Ramsauer
6,341,156 B1	1/2002	Baetz et al.	7,319,735 B2	1/2008	Defreitas
6,375,352 B1	4/2002	Hewes et al.	7,322,929 B2	1/2008	Lovoi
6,378,137 B1	4/2002	Hassan et al.	7,323,692 B2	1/2008	Rowlands et al.
6,390,967 B1	5/2002	Forman et al.	7,404,791 B2	7/2008	Linares et al.
6,390,968 B1	5/2002	Harmon	7,407,476 B2	8/2008	Lubock et al.
6,390,992 B1	5/2002	Morris et al.	7,413,539 B2	8/2008	Lubock et al.
6,398,708 B1	6/2002	Hastings et al.	7,430,272 B2	9/2008	Jing et al.
6,411,836 B1	6/2002	Patel et al.	7,443,949 B2	10/2008	Defreitas et al.
6,413,203 B1	7/2002	Sahatjian	7,465,268 B2	12/2008	Lubock et al.
6,413,204 B1	7/2002	Winkler et al.	7,476,235 B2	1/2009	Diederich et al.
6,415,015 B2	7/2002	Nicolas et al.	7,497,819 B2	3/2009	White et al.
6,416,457 B1	7/2002	Urick et al.	7,497,820 B2	3/2009	White et al.
6,416,492 B1	7/2002	Nielson	7,513,861 B2	4/2009	Klein et al.
6,442,288 B1	8/2002	Haerer et al.	7,517,310 B2	4/2009	Lubock et al.
6,458,069 B1	10/2002	Tam et al.	7,609,806 B2	10/2009	Defreitas et al.
6,458,070 B1	10/2002	Waksman et al.	7,630,533 B2	12/2009	Ruth et al.
6,459,925 B1	10/2002	Nields et al.	7,662,082 B2	2/2010	White et al.
6,482,142 B1	11/2002	Winkler et al.	7,697,660 B2	4/2010	Ning
6,501,819 B2	12/2002	Unger et al.	7,783,006 B2	8/2010	Stewart et al.
6,512,942 B1	1/2003	Burdette et al.	7,792,245 B2	9/2010	Hitzke et al.
6,527,693 B2	3/2003	Munro, III et al.	7,869,563 B2	1/2011	Defreitas et al.
6,540,655 B1	4/2003	Chin et al.	7,885,382 B2	2/2011	Stewart et al.
6,556,655 B1	4/2003	Chichereau et al.	7,887,476 B2	2/2011	Hermann et al.
6,558,390 B2	5/2003	Cragg	8,075,469 B2	12/2011	Lubock et al.
6,579,221 B1	6/2003	Peterson	8,079,946 B2	12/2011	Lubock et al.
6,597,762 B1	7/2003	Ferrant et al.	8,137,256 B2	3/2012	Cutrer et al.
6,605,030 B2	8/2003	Weinberger	8,192,344 B2 *	6/2012	Lubock et al. .... 600/3
6,607,477 B1	8/2003	Longton et al.	8,277,370 B2	10/2012	Quick
6,610,013 B1	8/2003	Fenster et al.	8,287,442 B2	10/2012	Quick
6,611,575 B1	8/2003	Alyassin et al.	8,565,374 B2	10/2013	Defreitas et al.
6,615,070 B2	9/2003	Lee	2001/0016725 A1	8/2001	Valley et al.
6,616,629 B1	9/2003	Verin et al.	2001/0038681 A1	11/2001	Stanton et al.
6,620,111 B2	9/2003	Stephens et al.	2001/0038861 A1	11/2001	Hsu et al.
6,626,849 B2	9/2003	Huitema et al.	2001/0049464 A1	12/2001	Ganz
6,633,674 B1	10/2003	Barnes et al.	2001/0051669 A1	12/2001	McGhee
6,638,235 B2	10/2003	Miller et al.	2002/0012450 A1	1/2002	Tsuji
6,647,092 B2	11/2003	Eberhard et al.	2002/0026090 A1	2/2002	Kaplan et al.
6,673,006 B2	1/2004	Winkler	2002/0045893 A1	4/2002	Lane et al.
6,685,618 B2	2/2004	Tam et al.	2002/0050986 A1	5/2002	Inouc et al.
6,706,014 B2	3/2004	Banik et al.	2002/0055666 A1	5/2002	Hunter et al.
6,723,052 B2	4/2004	Mills	2002/0075997 A1	6/2002	Unger et al.
6,744,848 B2	6/2004	Stanton et al.	2002/0095114 A1	7/2002	Palasis
6,746,392 B2	6/2004	Stiger et al.	2002/0156342 A1	10/2002	Burton et al.
6,748,044 B2	6/2004	Sabol et al.	2002/0177804 A1	11/2002	Saab
6,749,555 B1	6/2004	Winkler et al.	2003/0018272 A1	1/2003	Treado et al.
6,749,595 B1	6/2004	Murphy	2003/0073895 A1	4/2003	Nields et al.
6,751,285 B2	6/2004	Eberhard et al.	2003/0095624 A1	5/2003	Eberhard
6,752,752 B2	6/2004	Geitz	2003/0144570 A1	7/2003	Hunter et al.
6,758,824 B1	7/2004	Miller et al.	2003/0153803 A1	8/2003	Harmon
6,770,058 B1	8/2004	Liprie	2003/0194050 A1	10/2003	Eberhard
6,813,334 B2	11/2004	Koppe et al.	2003/0194051 A1	10/2003	Wang et al.
6,882,700 B2	4/2005	Wang et al.	2003/0194121 A1	10/2003	Eberhard et al.
6,885,724 B2	4/2005	Li et al.	2003/0210254 A1	11/2003	Doan et al.
6,912,319 B1	6/2005	Barnes et al.	2003/0215120 A1	11/2003	Uppaluri et al.
6,913,600 B2	7/2005	Valley et al.	2004/0039437 A1	2/2004	Sparer et al.
6,923,754 B2	8/2005	Lubock	2004/0054366 A1	3/2004	Davison et al.
6,940,943 B2	9/2005	Claus et al.	2004/0066884 A1	4/2004	Hermann Claus et al.
6,955,641 B2	10/2005	Lubock	2004/0066904 A1	4/2004	Eberhard et al.
6,970,531 B2	11/2005	Eberhard et al.	2004/0087827 A1	5/2004	Lubock
6,978,040 B2	12/2005	Berestov	2004/0094167 A1	5/2004	Brady et al.
6,983,754 B1	1/2006	Anderson et al.	2004/0101095 A1	5/2004	Jing et al.
6,987,831 B2	1/2006	Ning	2004/0109529 A1	6/2004	Eberhard et al.
6,999,554 B2	2/2006	Mertelmeier	2004/0116767 A1	6/2004	Lebovic et al.
7,098,463 B2	8/2006	Adamovics	2004/0147800 A1	7/2004	Barber et al.
7,107,089 B2	9/2006	Lee	2004/0171986 A1	9/2004	Tremaglio, Jr. et al.
7,110,490 B2	9/2006	Eberhard et al.	2004/0215048 A1	10/2004	Lubock
7,110,502 B2	9/2006	Tsuji	2004/0260142 A1	12/2004	Lovoi
			2004/0267157 A1	12/2004	Miller et al.
			2005/0016771 A1	1/2005	Mayes et al.
			2005/0049521 A1	3/2005	Miller et al.
			2005/0061771 A1	3/2005	Murphy

(56)

**References Cited****U.S. PATENT DOCUMENTS**

2005/0063509 A1 3/2005 DeFreitas et al.  
 2005/0078797 A1 4/2005 Danielsson et al.  
 2005/0080313 A1 4/2005 Stewart et al.  
 2005/0101823 A1 5/2005 Linares et al.  
 2005/0105679 A1 5/2005 Wu et al.  
 2005/0113681 A1 5/2005 DeFreitas  
 2005/0113715 A1 5/2005 Schwindt et al.  
 2005/0124843 A1 6/2005 Singh  
 2005/0129172 A1 6/2005 Mertelmeier  
 2005/0135555 A1 6/2005 Claus et al.  
 2005/0135664 A1 6/2005 Kaufhold et al.  
 2005/0182286 A1 8/2005 Lubock  
 2005/0226375 A1 10/2005 Eberhard et al.  
 2005/0240073 A1 10/2005 Apffelstaedt et al.  
 2005/0240074 A1 10/2005 Lubock  
 2005/0267320 A1 12/2005 Barber et al.  
 2005/0277577 A1 12/2005 Hunter et al.  
 2006/0020156 A1 1/2006 Shukla  
 2006/0020256 A1 1/2006 Bell et al.  
 2006/0030784 A1 2/2006 Miller et al.  
 2006/0074288 A1 4/2006 Kelly  
 2006/0098855 A1 5/2006 Gkanatsios  
 2006/0100475 A1 5/2006 White et al.  
 2006/0116546 A1 6/2006 Eng  
 2006/0129062 A1 6/2006 Nicoson et al.  
 2006/0136051 A1 6/2006 Furst et al.  
 2006/0155209 A1 7/2006 Miller et al.  
 2006/0167416 A1 7/2006 Mathis et al.  
 2006/0173233 A1 8/2006 Lovoi  
 2006/0173235 A1 8/2006 Lim et al.  
 2006/0205992 A1 9/2006 Lubock et al.  
 2006/0291618 A1 12/2006 Eberhard et al.  
 2007/0005003 A1 1/2007 Patterson et al.  
 2007/0030949 A1 2/2007 Jing et al.  
 2007/0036265 A1 2/2007 Jing et al.  
 2007/0055144 A1 3/2007 Neustadter et al.  
 2007/0076844 A1 4/2007 Defreitas et al.  
 2007/0106108 A1 5/2007 Hermann et al.  
 2007/0142694 A1 6/2007 Cutrer et al.  
 2007/0167665 A1 7/2007 Hermann et al.  
 2007/0167666 A1 7/2007 Lubock et al.  
 2007/0191667 A1 8/2007 Lubock et al.  
 2007/0223651 A1 9/2007 Wagenaar et al.  
 2007/0225600 A1 9/2007 Weibrecht  
 2007/0242800 A1 10/2007 Jing  
 2007/0270627 A1 11/2007 Cutrer et al.  
 2008/0009659 A1 1/2008 Smith et al.  
 2008/0019581 A1 1/2008 Gkanatsios  
 2008/0045833 A1 2/2008 Defreitas  
 2008/0057298 A1 3/2008 Finley  
 2008/0064915 A1 3/2008 Lubock  
 2008/0086083 A1 4/2008 Towler  
 2008/0091055 A1 4/2008 Nguyen et al.  
 2008/0101537 A1 5/2008 Sendai  
 2008/0112534 A1 5/2008 DeFreitas et al.  
 2008/0130979 A1 6/2008 Ren  
 2008/0177127 A1 7/2008 Allan et al.  
 2008/0188705 A1 8/2008 Lubock et al.  
 2008/0221384 A1 9/2008 Chi Sing et al.  
 2008/0221444 A1 9/2008 Ritchie et al.  
 2008/0228023 A1 9/2008 Jones et al.  
 2008/0228024 A1 9/2008 Jones et al.  
 2008/0228025 A1 9/2008 Quick  
 2008/0228150 A1 9/2008 Jones et al.  
 2008/0281142 A1 11/2008 Lubock et al.  
 2008/0281143 A1 11/2008 Lubock et al.  
 2008/0287801 A1 11/2008 Magnin et al.  
 2009/0003519 A1 1/2009 Defreitas  
 2009/0010384 A1 1/2009 Jing  
 2009/0030259 A1 1/2009 Quick  
 2009/0080594 A1 3/2009 Brooks  
 2009/0080602 A1 3/2009 Brooks  
 2009/0093821 A1 4/2009 Edmundson  
 2009/0124845 A1 5/2009 Lubock et al.  
 2009/0135997 A1 5/2009 Defreitas

2009/0156880 A1 6/2009 Allan et al.  
 2009/0156882 A1 6/2009 Chi Sing et al.  
 2009/0171157 A1 7/2009 Diederich et al.  
 2009/0188098 A1 7/2009 Acosta et al.  
 2009/0198095 A1 8/2009 Acosta et al.  
 2009/0213987 A1 8/2009 Stein et al.  
 2009/0268865 A1 10/2009 Ren  
 2009/0296882 A1 12/2009 Gkanatsios  
 2009/0304147 A1 12/2009 Jing et al.  
 2010/0048977 A1 2/2010 Sing et al.  
 2010/0054400 A1 3/2010 Ren  
 2010/0086188 A1 4/2010 Ruth  
 2010/0150306 A1 6/2010 Defreitas et al.  
 2010/0195882 A1 8/2010 Ren  
 2010/0204534 A1 8/2010 Damarati  
 2010/0204535 A1 8/2010 Damarati  
 2010/0226475 A1 9/2010 Smith  
 2010/0286465 A1 11/2010 Benson  
 2010/0290585 A1 11/2010 Eliasson  
 2011/0069809 A1 3/2011 Defreitas et al.  
 2012/0178983 A1 7/2012 Benson

**FOREIGN PATENT DOCUMENTS**

EP 0536440 A1 4/1993  
 EP 0642766 A2 3/1995  
 EP 0693293 B1 1/1996  
 EP 0719571 A2 7/1996  
 EP 775467 5/1997  
 EP 0853957 B1 7/1998  
 EP 0867200 A2 9/1998  
 EP 0982001 3/2000  
 EP 1051990 A1 11/2000  
 EP 1070514 A1 1/2001  
 EP 1402922 A1 3/2004  
 EP 1428473 6/2004  
 EP 1541188 A1 6/2005  
 EP 1618924 A1 1/2006  
 EP 1759637 3/2007  
 JP 10137250 A 5/1998  
 JP 2001120561 A 5/2001  
 RU 2177350 C2 12/2001  
 WO WO 90/05485 5/1990  
 WO WO 92/10932 7/1992  
 WO WO 93/09724 5/1993  
 WO 9520241 A1 7/1995  
 WO 9712540 A1 4/1997  
 WO WO 97/19723 6/1997  
 WO 9745053 A2 12/1997  
 WO 9815315 A1 4/1998  
 WO WO 98/16903 4/1998  
 WO WO 99/11325 3/1999  
 WO 9934869 A1 7/1999  
 WO WO 99/33515 7/1999  
 WO WO 99/42163 8/1999  
 WO 0114011 A1 7/2000  
 WO WO 00/51484 9/2000  
 WO 0143826 A1 6/2001  
 WO 0158346 A1 8/2001  
 WO 0209599 A2 2/2002  
 WO 02069862 A1 9/2002  
 WO WO 03/020114 3/2003  
 WO 2004043531 A2 5/2004  
 WO WO 2004/043535 5/2004  
 WO 2005037363 A2 4/2005  
 WO 2005039655 A1 5/2005  
 WO 2005039665 A1 5/2005  
 WO WO 2005/051197 6/2005  
 WO 2005067442 A2 7/2005  
 WO WO 2005110230 11/2005  
 WO WO 2005112767 12/2005  
 WO WO 2006/055830 5/2006  
 WO WO 2006/058160 6/2006  
 WO 2007027831 A1 3/2007

(56)

**References Cited**

## FOREIGN PATENT DOCUMENTS

WO 2007143560 A2 12/2007  
 WO 2008/067557 6/2008  
 WO WO 09/079170 6/2009

## OTHER PUBLICATIONS

*SenoRX, Inc. v. Hologic, Inc.*; District Court for the District of Delaware, Case No. 1:12-cv-00173-LPS-CJB, Hologic, Inc.'s Answer to Complaint and Counterclaim filed on May 23, 2012.

*SenoRX, Inc. v. Hologic, Inc.*; District Court for the District of Delaware, Case No. 1:12-cv-00173-LPS-CJB, SenoRX's Answer to Counterclaim filed on Jun. 18, 2012.

*SenoRX, Inc. v. Hologic, Inc.*; District Court for the District of Delaware, Case No. 1:12-cv-00173-LPS-CJB, Joint Claim Construction Chart, filed Nov. 16, 2012.

XP007904995:retrieved from the internet: URL: [http://www2.dupont.com/Teflon\\_Industrial/en\\_US/assets/downloads/h88800.pdf](http://www2.dupont.com/Teflon_Industrial/en_US/assets/downloads/h88800.pdf); retrieved on Jun. 19, 2008, by Authorized Officer in International Application PCT/US2008/003364.

Lewis, J. et al., "Intracranial Brachytherapy Using a High Dose Rate Microselectron", Northern Centre for Cancer Treatment, Dept. of Neurosciences, Regional Medical Physics Department, Newcastle General Hospital, Newcastle Upon Tyne, UK, Radiation and Oncology, vol. 39, Supplement 1, May 1996, pp. 45-45(1).

International Search Report for PCT/US2008/003364 mailed Aug. 27, 2008.

Written Opinion of the International Searching Authority for PCT/US2008/003364 dated Sep. 15, 2009.

International Preliminary Report on Patentability for PCT/US2008/003364 issued Aug. 3, 2010.

International Search Report for PCT/US2008/003217 mailed Aug. 12, 2008.

Written Opinion of the International Searching Authority for PCT/US2008/003217 dated Sep. 12, 2009.

International Preliminary Report on Patentability for PCT/US2008/003217 dated Mar. 21, 2011.

International Search Report for PCT/US03/33775 mailed Jun. 21, 2004.

International Preliminary Report on Patentability for PCT/US03/33775 dated Oct. 10, 2007.

International Search Report for PCT/US2006/044067 mailed Dec. 18, 2007.

Written Opinion of the International Searching Authority for PCT/US2006/044067 dated Jan. 11, 2009.

International Preliminary Report on Patentability for PCT/US2006/044067 dated Oct. 2, 2009.

International Search Report for PCT/US2006/043891 mailed Sep. 25, 2007.

Written Opinion of the International Searching Authority for PCT/US2006/043891 dated May 18, 2008.

International Preliminary Report on Patentability for PCT/US2006/043891 dated Jan. 12, 2009.

Office Action dated Feb. 1, 2013 in U.S. Appl. No. 13/571,495.

Office Action dated Mar. 13, 2013 in U.S. Appl. No. 13/649,668.

Paul V. Harper, "Some Therapeutic Applications of Radioisotopes", Journal of the Mississippi State Medical Association, Oct. 1966, vol. VII, pp. 526-533.

"Variable shield for radiation-therapy source wire and centering catheter", Research disclosure, Mason Publications, Hampshire, GB, vol. 438, No. 48, Oct. 2000, XP007126916.

Gregory K. Edmundson, et al., "Dosimetric Characteristics of the Mammosite RTS, a New Breast Brachytherapy Applicator", Int. J. Radiation Oncology Biol. Phys., vol. 52, No. 4, pp. 1132-1139, 2002.

Melvin A. Astrahan, PhD et al., "Optimization of Mammosite therapy", Int. J. Radiation Oncology Biol. Phys., vol. 58, No. 1, pp. 220-232, 2004.

Philip H. Gutin, et al., "A coaxial catheter system for afterloading radioactive sources for the interstitial irradiation of brain tumors", J. Neurosurg, vol. 56, pp. 734-735, 1982.

R.D. Ashpole et al., "A New Technique of Brachytherapy for Malignant Gliomas with Caesium-137; A New Method Utilizing a Remote Afterloading system", Clinical Oncology, (1990).

Abstracts of the 11th International Conference on Brain tumor Research and Therapy Oct. 31-Nov. 3, 1995, Silverado Country Club and Resort, Napa, California, Journal of Neuro-Oncology 28:72, 1996.

Johannesen, T.B. et al., "Intracavity Fractioned Balloon Brachytherapy in Glioblastoma", Acta Neurochir (Wien) (1999) 141: 127-133.

XP007904995:retrieved from the internet: URL: [http://www2.dupont.com/Teflon\\_Industrial/en\\_US/assets/downloads/h88800.pdf](http://www2.dupont.com/Teflon_Industrial/en_US/assets/downloads/h88800.pdf).

Xu, Z., et al., "Calculation of Dose Distribution Near an Innovative Concentric Balloon Catheter for Endovascular Brachytherapy", Cardiovascular Radiation Medicine 2, 2000, pp. 26-31, Elsevier Science Inc.

Stubbs, J. B., et al., "Preclinical Evaluation of a Novel Device for Delivering Brachytherapy to the Margins of Resected Brain Tumor Cavities", J. Neurosurg 96, Feb. 2002, pp. 335-343, vol. 96.

Das, R. K., et al., "3D-CT-Based High-Dose-Rate Breast Brachytherapy Implants: Treatment Planning and Quality Assurance", Int. J. Radiation Oncology Biol. Phys. 2004, pp. 1224-1228, vol. 59, No. 4, Elsevier Inc.

Tanderup, et al., "Multi-Channel Intracavitary Vaginal Brachytherapy Using Three-Dimensional Optimization of Source Geometry", Radiation & Oncology Journal of the European Society for Therapeutic Radiology and Oncology, 2004, pp. 81-85, Radiotherapy and Oncology 70 (2004), Elsevier Ireland Ltd.

Devic, et al., "Advantages of Inflatable Multichannel Endorectal Applicator in the Neo-Adjuvant Treatment of Patients With Locally Advanced Rectal Cancer With HDR Brachytherapy", Journal of Applied Clinical Medical Physics, Spring 2005, pp. 44-49, vol. 6, No. 2.

Symon, et al., "Individual Fraction Optimization vs. First Fraction Optimization for Multichannel Applicator Vaginal Cuff High-Dose-Rate Brachytherapy", pp. 211-215, Brachytherapy 5 (2006), Elsevier.

Friedman, M. et al., "A New Technic for the Radium Treatment of Carcinoma of the Bladder", Presented at the Thirty-fourth Annual Meeting of the Radiological Society of North America, Dec. 5-10, 1948, pp. 342-362.

Walton, R. J., "Therapeutic Uses of Radioactive Isotopes in the Royal Cancer Hospital", The British Journal of Radiology, 1950, pp. 559-599, William Heinemann, Publisher.

Low-Beer, B. V. A., "Radioisotope Therapy", "The Clinical Use of Radioactive Isotopes" 1950, pp. 284-349, Charles C. Thomas, Publisher, Springfield, Illinois, U.S.A., See pp. 343-349.

Low-Beer, B. V. A., "The Therapeutic Use of Radioactive Isotopes", "Practical Therapeutics", Dec. 1954, pp. 69-87, vol. X, No. 6.

Muller, J. H., "Radiotherapy of Bladder Cancer by Means of Rubber Balloons Filled in Situ With solutions of a Radioactive Isotope (Co60)", Cancer, A Journal of the American Cancer Society, Jul.-Aug. 1955, pp. 1035-1043, vol. 8, No. 4, J. B. Lippincott Company, Philadelphia.

Friedman, M. et al., "Irradiation of Carcinoma of the Bladder by a Central Intracavitary Radium or Cobalt 60 Source (The Walter Reed Technique)", Presented at the Annual Meeting of the American Radium Society, 1955, pp. 6-31.

Hewitt, C. B., et al., "Update on Intracavitary Radiation in the Treatment of Bladder Tumors", The Journal of Urology; Official Journal of The American Urological Association, Inc., 1981, pp. 323-325, vol. 126 September, The Williams & Wilkins Co.

Hieshima, G. B., et al. "A Detachable Balloon for Therapeutic Transcatheter Occlusions I", Technical Notes, Jan. 1981, pp. 227-228, vol. 138.

Russel, A. H., et al., "Intracavitary Irradiation for Carcinoma of the Urinary Bladder: Rationale, Technique, and Preliminary Results", Int. J. Radiation Oncology. Phys., 1984, pp. 215-219, vol. 10, Pergamon Press Ltd.

Yin, W., "Brachytherapy of Carcinoma of the Esophagus in China, 1970-1974 and 1982-1984", Brachytherapy HDR and LDR, May 4-6, 1989, pp. 52-56.

(56)

## References Cited

## OTHER PUBLICATIONS

- Kaufman, N., "Remote Afterloading Intraluminal Brachytherapy in the Treatment of Rectal, Rectosigmoid, and Anal Cancer: A Feasibility Study", *International Journal of Radiation Oncology, Biology, Physics*, Sep. 1989, pp. 663-668, vol. 17, Issue 3, Pergamon Press plc.
- Wolf, C. D., et al., "A Unique Nasopharynx Brachytherapy Technique", *Official Journal of the American Association of Medical Dosimetrists*, 1990, pp. 133-136, vol. 15, Issue No. 3., Pergamon Press.
- Fowler, J. F., "Brief Summary of Radiobiological Principles in Fractionated Radiotherapy", *Seminars in Radiation Oncology*, Jan. 1992, pp. 16-21, vol. 2, No. 1, W. B. Saunders Company.
- Nag, S., "Modern Techniques of Radiation Therapy for Endometrial Cancer", *Clinical Obstetrics and Gynecology*, Sep. 1996, pp. 728-744, vol. 39, No. 3, Lippincott-Raven Publishers.
- Pernot, M., "Combined Surgery and Brachytherapy in the Treatment of Some Cancers of the Bladder (Partial Cystectomy and Interstitial Iridium-192)", *Radiotherapy & Oncology*, 1996, pp. 115-120, Elsevier Science Ireland Ltd.
- Micheletti, E., et al., "High-Dose-Rate Brachytherapy for Poor-Prognosis, High-Grade Glioma: (Phase II) Preliminary Results", *Tumori*, 1996, pp. 339-344.
- Lewis, J., et al., "Intracranial Brachytherapy Using a High Dose Rate Microselectron", Northern Centre for Cancer Treatment, Dept. of Neurosciences, Regional Medical Physics Department, New Castle General Hospital, New Castle Upon Tyne, UK, p. 179.
- Nag, S., et al., "Perineal Template Interstitial Brachytherapy Salvage for Recurrent Endometrial Adenocarcinoma Metastatic to the Vagina", *Gynecologic Oncology* 66, 1997, pp. 16-19, Article No. G0974722, Academic Press.
- Nag, S., et al., "Remote Controlled High Dose Rate Brachytherapy", *Critical Reviews in Oncology/Hematology* 22, 1996, pp. 127-150, Elsevier Science Ireland Ltd.
- Sylvester, J., et al., "Interstitial Implantation Techniques in Prostate Cancer" *Journal of Surgical Oncology* 1997; 66: 65-75, Wiley-Liss, Inc.
- Tan, L. T., et al., "Radical Radiotherapy for Carcinoma of the Uterine Cervix Using External Beam Radiotherapy and a Single Line Source Brachytherapy Technique: The Clatterbridge Technique", *The British Journal of Radiology*, 70, date Dec. 1997, pp. 1252-1258.
- Kuettel, M. R., et al., "Treatment of Female Urethral Carcinoma in Medically Inoperable Patients Using External Beam Irradiation and High Dose Rate Intracavitary Brachytherapy" *The Journal of Urology*, May 1997, pp. 1669-1671, vol. 157, The American Urological Association, Inc.
- Slevin, N. J., et al., "Intracavitary Radiotherapy Boosting for Nasopharynx Cancer" *The British Journal of Radiology*, 70, Apr. 1997, pp. 412-414.
- Sneed, P. K., et al., "Interstitial Brachytherapy Procedures for Brain Tumors", *Seminars in Surgical Oncology* 1997; 13: 157-166, Wiley-Liss, Inc.
- Dempsey, J. F., et al., "Dosimetric Properties of a Novel Brachytherapy Balloon Applicator for the Treatment of Malignant Brain-Tumor Resection-Cavity Margins" *Int. J. Radiation Oncology Biol. Phys.*, May 1998, pp. 421-429, vol. 42, No. 2, Elsevier.
- Kolotas, C., et al., "CT Guided Interstitial High Dose Rate Brachytherapy for Recurrent Malignant Gliomas", *The British Journal of Radiology*, 72, (1999), pp. 805-808.
- Demanes, D. J., et al., "The Use and Advantages of a Multichannel Vaginal Cylinder in High-Dose-Rate Brachytherapy", *Int. J. Radiation Oncology Biol. Phys.*, (1999), pp. 211-219, vol. 44, No. 1, Elsevier Science Inc.
- Debicki, M. P., et al., "Current Field Hyperthermia in Carcinoma of the Cervix: 3-D Computer Simulation of SAR Distribution", *International Journal of Hyperthermia*, 1999, pp. 427-440, vol. 15, No. 5.
- Garipagaoglu, M., et al., "Geometric and Dosimetric Variations of ICRU Bladder and Rectum Reference Points in Vaginal Cuff Brachytherapy Using Ovoids", *Int. J. Radiation Oncology Biol. Phys.*, 2004, pp. 1607-1615, Elsevier Inc.
- Bowsher, W. G., et al., "Update on Urology-Prostate Cancer, 4-Treatment of Local Disease", *European Journal of Surgical Oncology*, 1995 pp. 679-682, vol. 21, No. 6.
- Voung, T., et al., "High-Dose-Rate Endorectal Brachytherapy in the Treatment of Locally Advanced Rectal Carcinoma: Technical Aspects", *Brachytherapy* 4, 2005, pp. 230-235, Elsevier.
- Harada, T., et al., "Transcystoscopic Intracavitary irradiation for Carcinoma of the Bladder: Technique and Preliminary Clinical Results", *The Journal of Urology*, Oct. 1987, pp. 771-774, vol. 138, No. 4, The Williams & Wilkins Co.
- Hall, J. W., et al., "Histologic Changes in Squamous-Cell Carcinoma of the Mouth and Oropharynx Produced by Fractionated External Roentgen Irradiation", *Radiological Society of North America*, 1948, pp. 318-350, 50/3/MAR.
- Hine, G. J., et al., "Isodose Measurements of Linear Radium Sources in Air and Water by Means of an Automatic Isodose Recorder", *The American Journal of Roentgenology and Radium Therapy*, 1950, pp. 989-998, vol. 64, No. 6, The Societies.
- Walton, R. J., et al., "Radioactive Solution ( $^{24}\text{Na}$  and  $^{82}\text{Br}$ ) in the Treatment of Carcinoma of the Bladder", *British Medical Bulletin*, 1952, pp. 158-165, Medical Dept., The British Council.
- Marshall V. F., et al., "Current Clinical Problems Regarding Bladder Tumors", *Symposium on Bladder Tumors*, 1956, pp. 543-550, 9/3/May-Jun, J. B. Lippincott Co, Etc.
- Hewitt, C. B., et al., "Intracavitary Radiation in the Treatment of Bladder Tumors", *The Journal of Urology*, vol. 107, Apr. 1972, pp. 603-606, The Williams & Wilkins Co.
- Rotman, M., et al., "The Intracavitary Applicator in Relation to Complications of Pelvic Radiation-The Ernst System", *Int. J. Radiation Oncology Biol. Phys.*, 1978, pp. 951-956, vol. 4, Pergamon Press Inc.
- Nag, S., et al., "The Future of High Dose Rate Brachytherapy", *High Dose Rate Brachytherapy: A Textbook*, 1994, pp. 447-453, Futura Publishing Company, Inc., Armonk, New York 10504.
- Wang, C. C., "Carcinoma of the Nasopharynx", *Radiation Therapy of Head and Neck Neoplasms*, 1997, pp. 257-280, Chapter 10, Wiley-Liss, Inc.
- Gaspar, L. E., et al., "Esophageal Brachytherapy", *Principles and Practice of Brachytherapy*, 1997, pp. 305-321, Futura Publishing Company, Inc., Armonk, New York.
- Vicini, F. A., et al., "Dose-Volume Analysis for Quality Assurance of Interstitial Brachytherapy for Breast Cancer", *Int. J. Radiation Oncology Biol. Phys.*, vol. 45, 1999, pp. 803-810, Elsevier Science Inc.
- Akagi, Y., et al., "Optimum Fractionation for High-Dose-Rate Endoesophageal Brachytherapy Following External Irradiation of Early Stage Esophageal Cancer", *Int. J. Radiation Oncology Biol. Phys.*, vol. 43, 1999, pp. 525-530, Elsevier Science, Inc.
- "Essentials for life: Senographe Essential Full-Field Digital Mammography system", GE Health-care Brochure, MM-0132-05.06-EN-US, 2006, 12 pgs.
- "Filtered Back Projection," (NYGREN) published May 8, 2007; URL: <http://web.archive.org/web/19991010131715/http://www.owl.net.rice.edu/~about.elec539/Projects97/cult/node2.html>, 2 pgs.
- "Lorad Selenia" Document B-BI-SEO US/Intl (May 2006), copyright Hologic 2006, 12 pgs.
- Chan, Heang-Ping et al., "ROC study of the effect of stereoscopic imaging on assessment of breast lesions", *Medica Physics*, vol. 32, No. 4, Apr. 2005, 7 pgs.
- Cole, Elodia, et al., "The Effects of Gray Scale Image Processing on Digital Mammography Interpretation Performance", *Academic Radiology*, vol. 12, No. 5, pp. 585-595, May 2005.
- Digital Clinical Reports, Tomosynthesis, GE Brochure 98-5493, Nov. 1998, 8 pgs.
- Federica Pediconi et al., "Color-coded automated signal intensity-curve for detection and characterization of breast lesions: Preliminary evaluation of a new software for MR-based breast imaging", *International Congress Series* 1281 (2005) 1081-1086.
- Kita et al., "Correspondence between different view breast X-rays using simulation of breast deformation", *Proceedings 1998 IEEE Computer Society Conference on Computer Vision and Pattern Recognition*, Santa Barbara, CA, Jun. 23-25, 1998, pp. 700-707.

(56)

**References Cited**

## OTHER PUBLICATIONS

Mammographic Accreditation Phantom, <http://www.cirsinc.com/pdfs/015cp.pdf>, (2006), 2 pgs.

Nath, Ph.D. et al., "Development of an 241 Am Applicator for Intracavitary Irradiation of Gynecologic Cancers", I.J. Radiation Oncology Biol. Phys., May 1988, vol. 14, p. 969-978.

Senographe 700 & 800T (GE); 2-page download on Jun. 22, 2006 from [www.gehealthcare.com/inen/rad/whe/products/mswh800t.html](http://www.gehealthcare.com/inen/rad/whe/products/mswh800t.html); Figures 1-7 on 4 sheets re lateral shift compression paddle, 2 pgs.

Smith, A., "Fundamentals of Breast Tomosynthesis", White Paper, Hologic Inc., WP-00007, Jun. 2008, 8 pgs.

Wheeler, F.W. et al. (2006), "Micro-Calcification Detection in Digital Tomosynthesis Mammography", Proceedings of SPIE, Conf-Physics of Semiconductor Devices, Dec. 11, 2001 to Dec. 15, 2001, Delhi, SPIE, US, vol. 6144, Feb. 13, 2006, 12 pgs.

Wu, Tao et al., "Tomographic mammography using a limited number of low-dose cone-beam images", Medical Physics, AIP, Melville, NY, vol. 30, No. 3, Mar. 1, 2003, pp. 365-380.

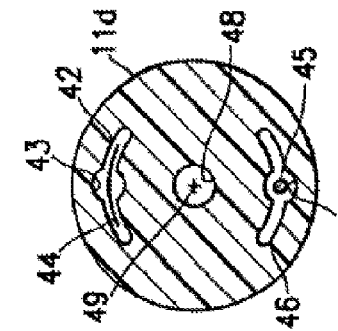
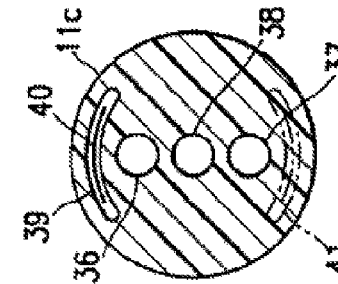
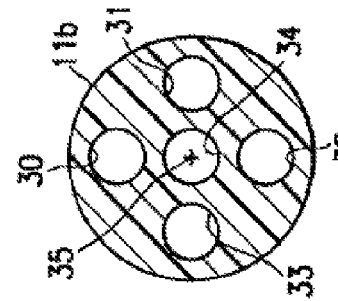
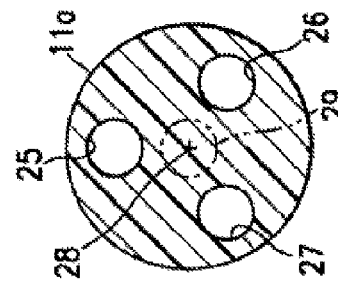
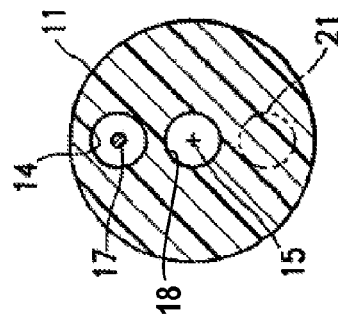
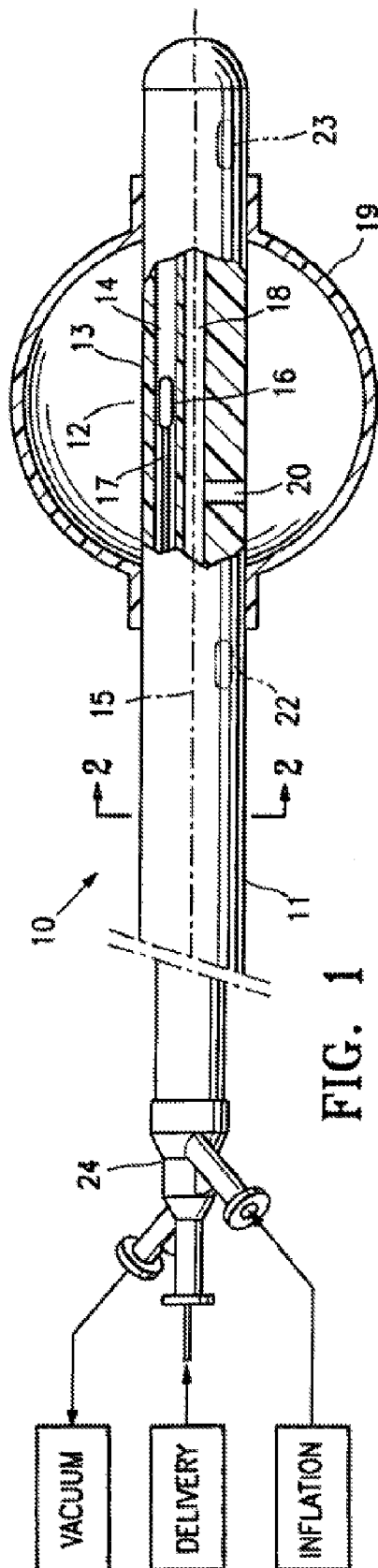
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Cuttino, L. W., et al., "CT-Guided Multi-Catheter Insertion Technique for Partial Breast Brachytherapy: Reliable Target Coverage and Dose Homogeneity", Brachytherapy 4, 2005, pp. 10-17, Elsevier.

Glasgow, G. P., et al. "Remote Afterloading Technology", AAPM Report No. 41, 1993, pp. i-vi and 1-107, American Institute of Physics, Inc.

Hoshino, T., "Brain Tumor Research Center", Abstracts of the 11th Conference on Brain Tumor Research and Therapy, Journal of Neuro-Oncology 28, 1996, pp. 31-113.

\* cited by examiner





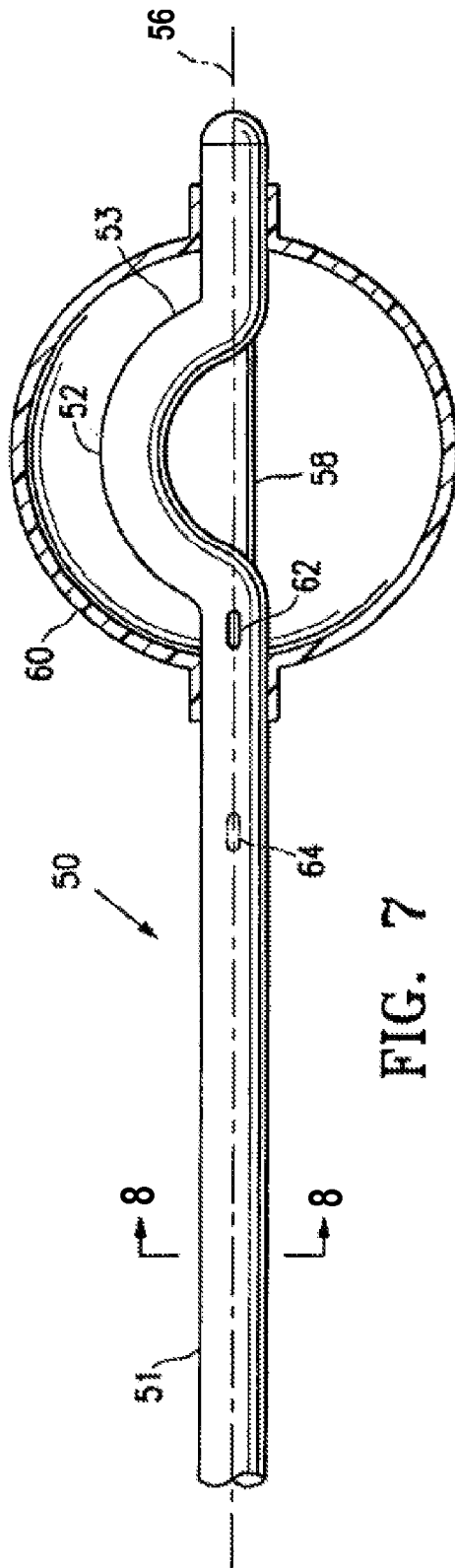


FIG. 7

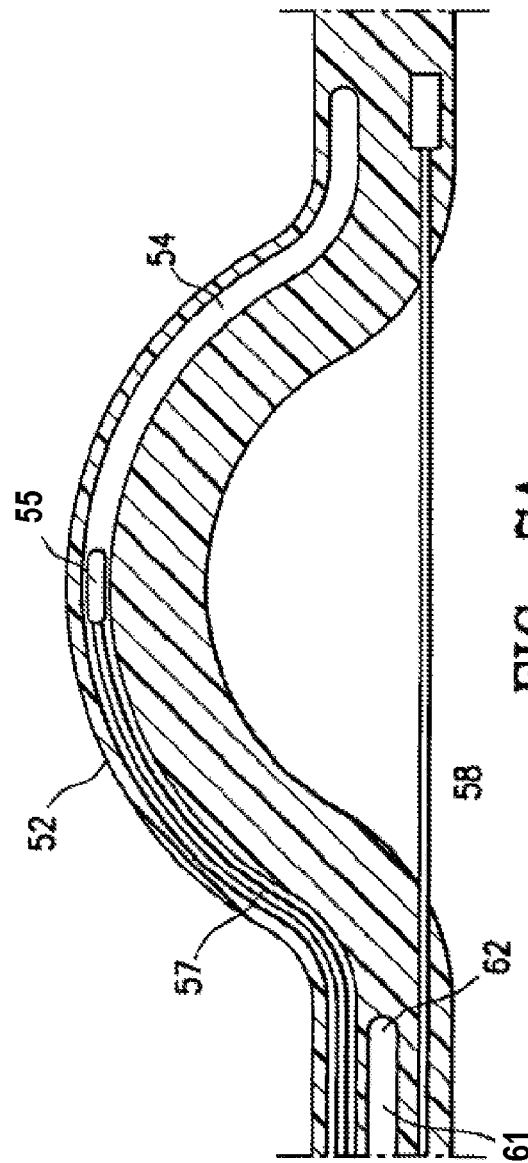


FIG. 7A

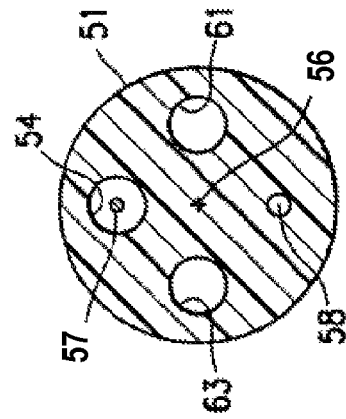


FIG. 8

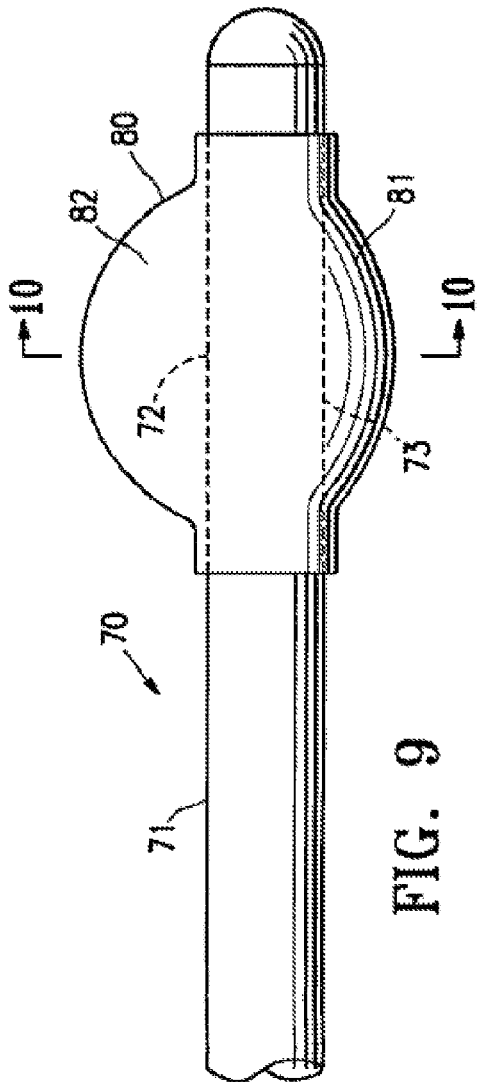


FIG. 9

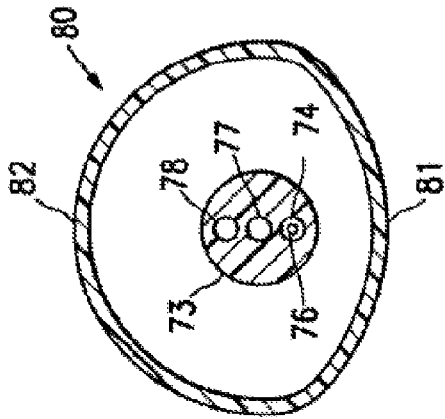


FIG. 10

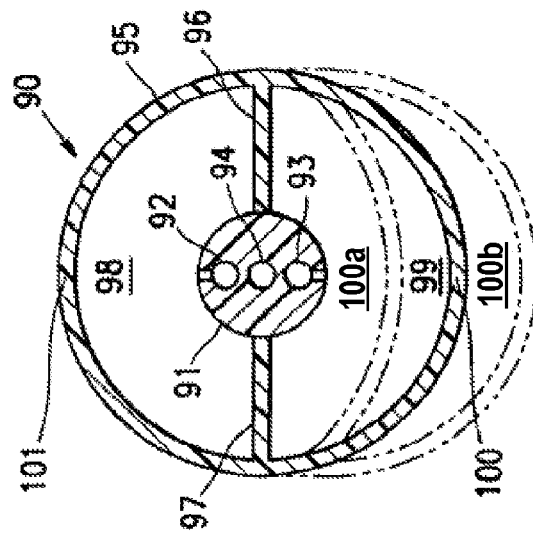


FIG. 11

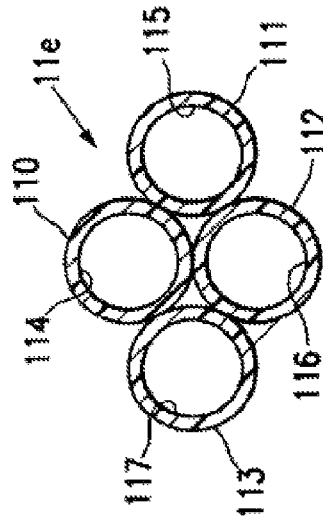


FIG. 12

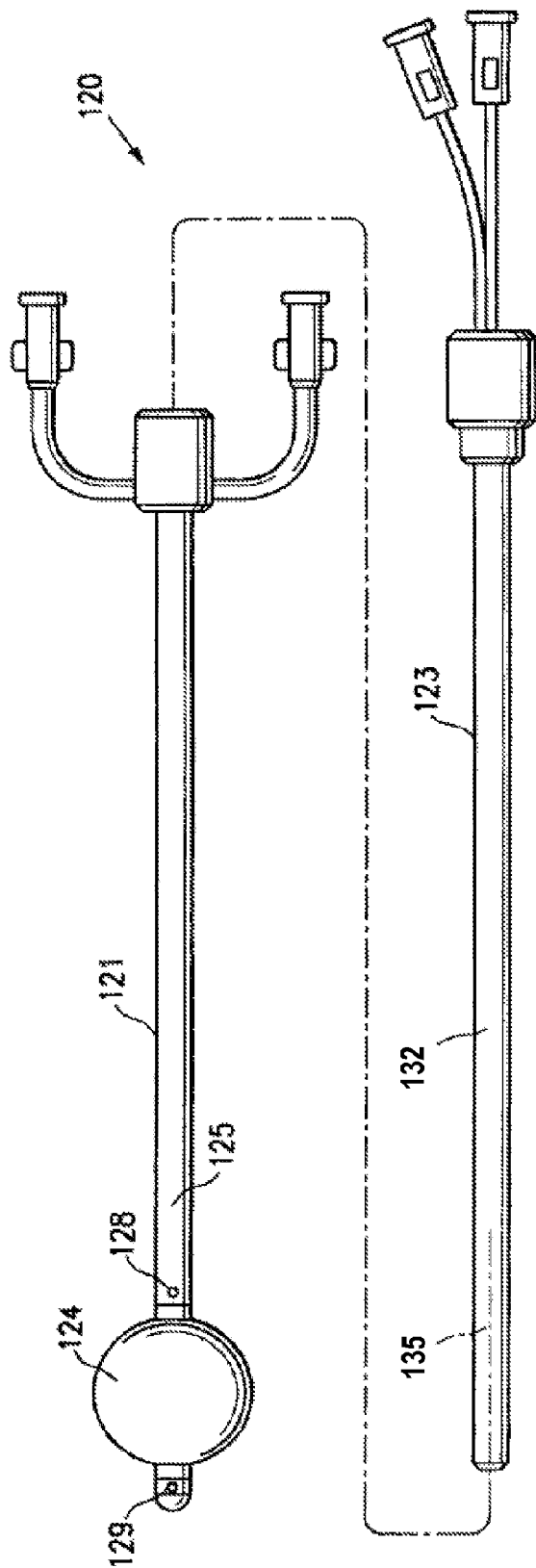


FIG. 13A

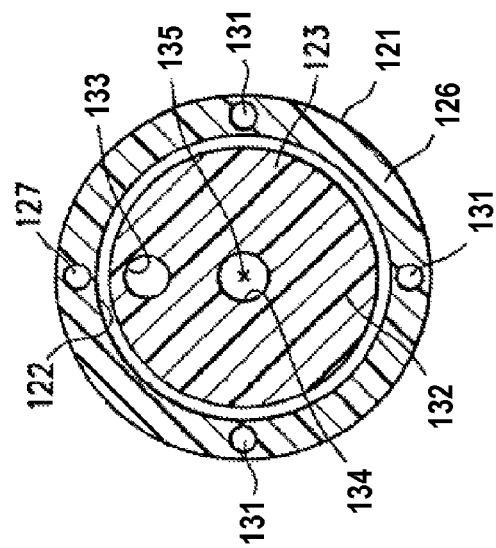


FIG. 13B

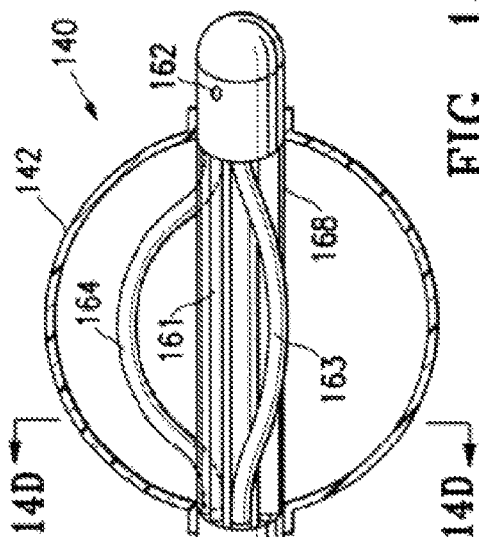
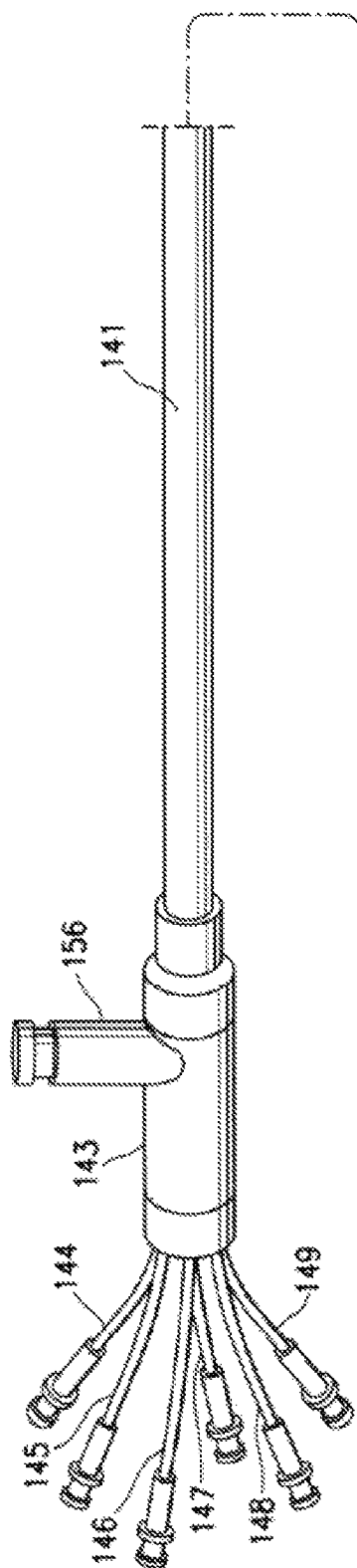


FIG. 14A

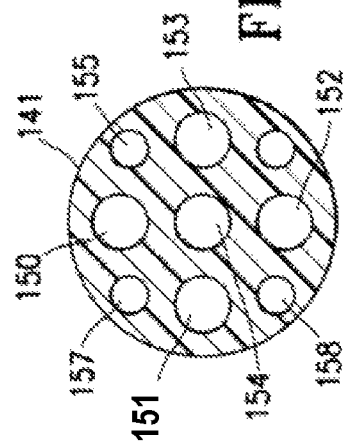


FIG. 14B

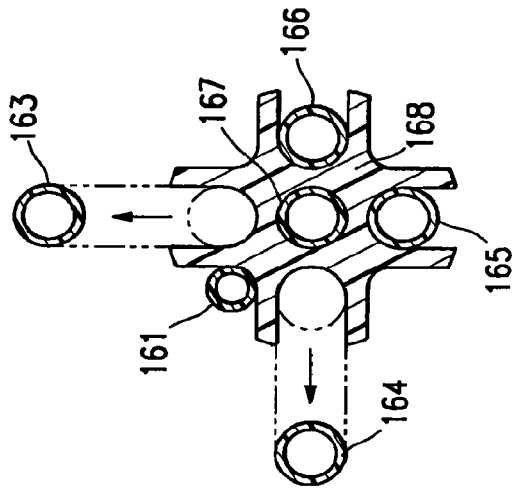


FIG. 14D

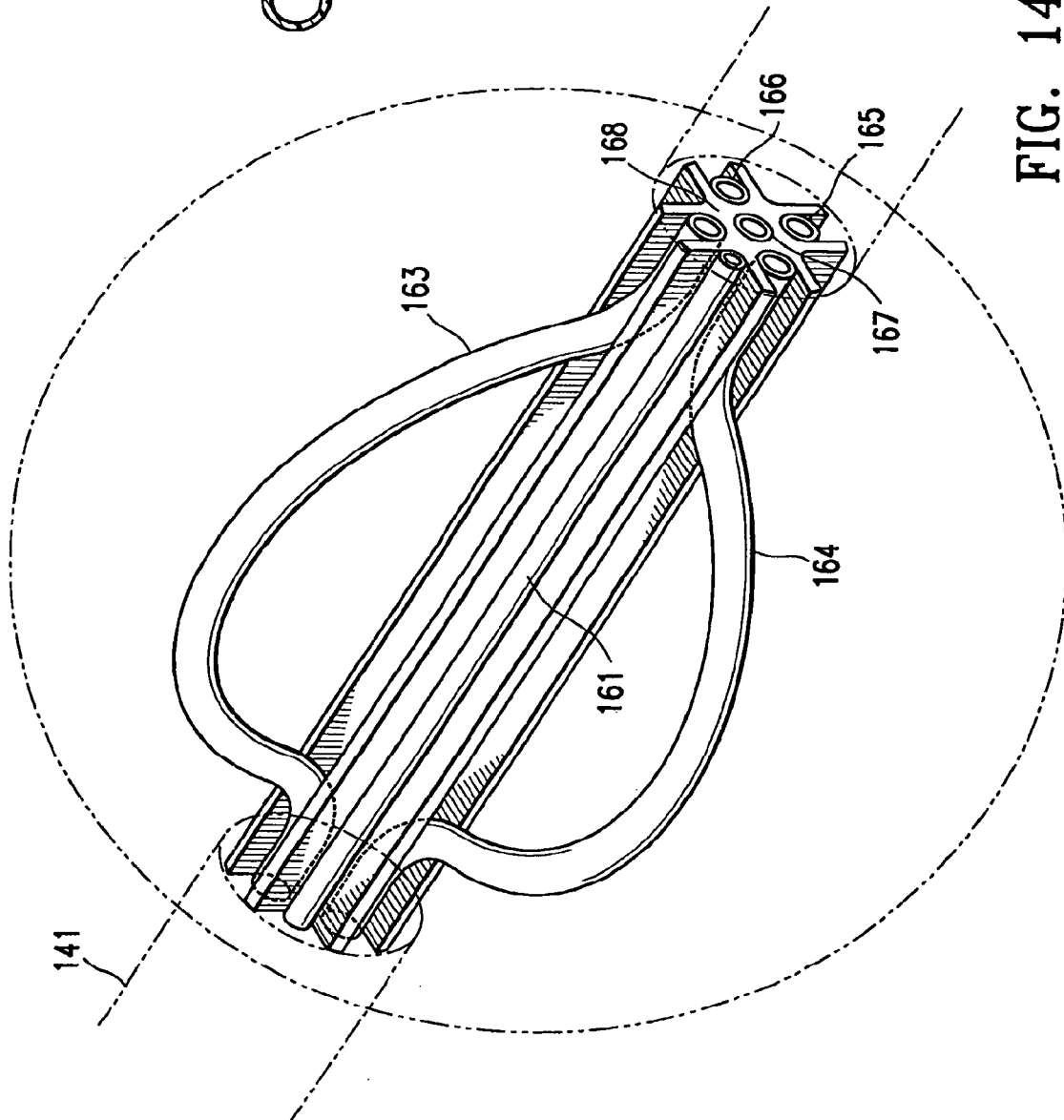


FIG. 14C

# BRACHYTHERAPY DEVICE FOR ASYMMETRICAL IRRADIATION OF A BODY CAVITY

## RELATED APPLICATIONS

This application is a continuation of application Ser. No. 12/151,154 filed May 2, 2008 now U.S. Pat. No. 8,075,469, which is a continuation of application Ser. No. 11/593,789, filed Nov. 6, 2006, now U.S. Pat. No. 7,465,268, which is a continuation-in-part of Ser. No. 11/283,236, filed Nov. 18, 2005, now U.S. Pat. No. 7,413,539, and which is related to and claims priority from provisional application Ser. No. 60/819,919 filed on Jul. 11, 2006 entitled Radiation Device For A Body Cavity, each of which is incorporated herein by reference in its entirety.

## FIELD OF THE INVENTION

This invention relates generally to the fields of medical treatment devices and methods. In particular, the invention relates to devices and methods for treating tissue surrounding a body cavity, such as a site from which cancerous, pre-cancerous, or other tissue has been removed.

## BACKGROUND OF THE INVENTION

In diagnosing and treating certain medical conditions, it is often desirable to perform a biopsy, in which a specimen or sample of tissue is removed for pathological examination, tests and analysis. A biopsy typically results in a biopsy cavity occupying the space formerly occupied by the tissue that was removed. As is known, obtaining a tissue sample by biopsy and the subsequent examination are typically employed in the diagnosis of cancers and other malignant tumors, or to confirm that a suspected lesion or tumor is not malignant. Treatment of cancers identified by biopsy may include subsequent removal of tissue surrounding the biopsy site, leaving an enlarged cavity in the patient's body. Cancerous tissue is often treated by application of radiation, by chemotherapy, or by thermal treatment (e.g., local heating, cryogenic therapy, and other treatments to heat, cool, or freeze tissue).

Cancer treatment may be directed to a natural cavity, or to a cavity in a patient's body from which tissue has been removed, typically following removal of cancerous tissue during a biopsy or surgical procedure. For example, U.S. Pat. No. 6,923,754 to Lubock and U.S. patent application Ser. No. 10/849,410 to Lubock, the disclosures of which are all hereby incorporated by reference in their entireties, describe devices for implantation into a cavity resulting from the removal of cancerous tissue which can be used to deliver cancer treatments to surrounding tissue. One form of radiation treatment used to treat cancer near a body cavity remaining following removal of tissue is "brachytherapy" in which a source of radiation is placed near to the site to be treated.

Lubock above describes implantable devices for treating tissue surrounding a cavity left by surgical removal of cancerous or other tissue that includes an inflatable balloon constructed for placement in the cavity. Such devices may be used to apply one or more of radiation therapy, chemotherapy, and thermal therapy to the tissue surrounding the cavity from which the tissue was removed. The delivery lumen of the device may receive a solid or a liquid radiation source. Radiation treatment is applied to tissue adjacent the balloon of the device by placing radioactive material such as radioactive "seeds" in a delivery lumen. Such treatments may be repeated if desired.

For example, a "MammoSite® Radiation Therapy System" (MammoSite® RTS, Proxima Therapeutics, Inc., Alpharetta, Ga. 30005 USA) includes a balloon catheter with a radiation source that can be placed within a tumor resection cavity in a breast after a lumpectomy. It can deliver a prescribed dose of radiation from inside the tumor resection cavity to the tissue surrounding the original tumor. The radiation source is typically a solid radiation source; however, a liquid radiation source may also be used with a balloon catheter placed within a body cavity (e.g., Iotrex®, Proxima Therapeutics, Inc.). A radiation source such as a miniature or micro-miniature x-ray tube may also be used (e.g. U.S. Pat. No. 6,319,188). The x-ray tubes are small, flexible and are believed to be maneuverable enough to reach the desired treatment location within a patient's body. The radiation source is to be removed following each treatment session, or remains in place as long as the balloon remains within the body cavity. Inflatable treatment delivery devices and systems, such as the MammoSite® RTS and similar devices and systems (e.g., GliaSite® RTS (Proxima Therapeutics, Inc.)), are useful to treat cancer in tissue adjacent a body cavity.

However, radiation, chemotherapy, thermal treatment, and other cancer treatments often have deleterious effects on healthy tissue in addition to the desired effects on cancerous tissue. In such treatments, care must be taken to direct the maximum treatment effects to diseased tissue while minimizing its delivery or effects on healthy tissue. For example, radiation treatment may be most effective when only the portion of tissue requiring treatment receives the radiation and where surrounding healthy tissue is unaffected. Tissue cavities typically are not uniform or regular in their sizes and shapes, so that differences in dosages applied to different regions of surrounding tissue, including "hot spots" and regions of relatively low dosage, often result from radiation treatment.

A treatment delivery device for treating tissue adjacent a body cavity has been disclosed in U.S. Pat. No. 6,923,754. This device applies a partial-vacuum or suction to bring tissue towards a radiation source and allows for uniform application of radiation to tissue surrounding a body cavity. An advantage of the present invention is that it allows for the protection of healthy tissue within that body cavity and provides a seal in the passageway leading to the body cavity while treating the desired tissue.

## SUMMARY OF THE INVENTION

This invention is generally directed to treating a patient's body cavity or other intracorporeal site (hereinafter collectively referred to as a body cavity) and devices and methods for such treatments. The invention is particularly suitable for treating tissue adjacent to a body cavity formed by the removal of tissue such as in a biopsy or lumpectomy.

More specifically, a device embodying features of the invention has a distal portion with a treatment location which is configured to be asymmetrically deployed within the body cavity so as to be closer to a first portion of tissue surrounding the cavity than a second portion of tissue surrounding the cavity opposite the first tissue portion. The treatment location of the distal portion which includes or is configured to receive a radiation source such as a brachytherapy seed or other irradiating agent for irradiating the first portion of tissue surrounding the body cavity more intensely than the second portion of tissue surrounding the body cavity opposed to the first portion of tissue due to the radiation source being closer to the first tissue portion than to the second tissue portion.

3

In one embodiment the treatment location having a radiation source is offset or capable of being offset within the body cavity so that tissue of the first portion of the cavity receives more intense radiation treatment than the tissue of the second portion.

This invention is generally directed to treating a patient's body cavity or other intracorporeal site and devices and methods for such treatments. The invention is particularly suitable for treating tissue adjacent to a body cavity such as a cavity formed by the removal of tissue.

More specifically, a device embodying features of the invention has a distal portion with a treatment location which is configured to be asymmetrically deployed within the body cavity and which is configured to receive or which includes a brachytherapy or other irradiating agent for treating tissue surrounding the cavity or other site.

In one embodiment the treatment location having a radiation source is offset or capable of being offset from the central location within the body cavity so that tissue of one portion of the cavity receives more intense radiation treatment than the tissue of an opposing portion.

The invention is generally directed to treating a patient's body cavity by irradiation, and devices and methods for such treatments. The invention is particularly suitable for treating tissue adjacent a patient's body cavity, such as that formed by removal of tissue for a biopsy.

More specifically, a device embodying features of the invention includes a treatment location at a distal portion of the device which is configured to receive or which includes a brachytherapy agent, such as a radiation source and which has a centrally located longitudinal axis. The distal portion of the shaft with the treatment location is deployable within the body cavity so as to provide asymmetrical treatment such as irradiation thereto to tissue surrounding the cavity and is or is capable of being deployed away from the longitudinal axis and closer to one portion of the cavity than an opposed portion.

In one embodiment the distal portion of the device has at least one delivery lumen which is configured to receive a radiation source and which is off-set or capable of being off-set from a central longitudinal axis so that the radiation source is closer to the tissue of the first portion of the body cavity than the tissue of the second portion of the cavity at an opposing side resulting in greater levels of radiation being received by the first tissue portion of the cavity. In this embodiment the device may also have one or more radiation shielding components that provide further control of the radiation emitted from the radiation source, such as described in application Ser. No. 11/593,952 (now U.S. Pat. No. 7,407,476), entitled Tissue Irradiation With Shielding. Off-setting the lumen in which the radiation source is deployed places the radiation source closer to a first tissue portion surrounding the body cavity to provide greater levels of radiation thereto and further away from the second tissue portion surrounding the body cavity at other locations to reduce the level of radiation thereto. The radiation received by the tissue surrounding the body cavity is a function of inverse of the distance ( $R$ ) from the radiation source squared ( $1/R^2$ ), so even small changes in the location of the radiation source within a body cavity can make a significant impact on the amount of radiation received by tissue in the body cavity or site. In this embodiment the shaft having the distal portion with the treatment location may be deformed to deflect the radiation lumen to an off set location with respect to the central longitudinal axis. An alternative is to provide an asymmetrical cavity filling member that holds the distal portion of the shaft with the treatment location at a desired position within the cavity or body site to provide

4

asymmetrical irradiation to the tissue surrounding the cavity or site. This may be accomplished with a cavity filling member that is asymmetrical, is mounted asymmetrically on the shaft or is configured to be inflated to an asymmetrical shape.

The cavity filling member may have separate chambers which are independently inflated to different sizes so as to develop an asymmetrical shape that results in an off-set of the radiation source.

In another embodiment the device has an outer sheath with an inner lumen and an inner cannula or catheter which is rotatably disposed within the inner lumen of the outer sheath. The cannula or catheter has an inner lumen which is configured to receive a radiation source. The inner lumen receiving the radiation source is off set from a central longitudinal axis of the catheter or cannula, so that rotation of the cannula or catheter within the inner lumen of the outer sheath will adjust the position of a radiation source within the body cavity or site to provide the desired asymmetrical irradiation dose within the cavity.

The elongated shaft may also have one or more radiation shielding components designed to reduce or minimize damaging irradiation of healthy tissue surrounding the body cavity while treating nearby areas having diseased tissue with radiation emitted from the radiation source. The radiation shielding components include one or more radiation shields disposed about a delivery shaft containing the radiation source. Suitable radiation shielding components are described in application Ser. No. 11/593,952 (now U.S. Pat. No. 7,407,476), entitled Tissue Irradiation With Shielding.

A device embodying features of the invention preferably has an enlarged or enlargeable cavity filling member at the treatment location which at least in part fills the body cavity. Preferably, the cavity filling member is inflatable member such as a balloon. The elongated shaft has an inner inflation lumen for directing inflation fluid to the interior of the cavity filling member for its inflation.

The device may also include an inner lumen configured to be in fluid communication with a proximal vacuum source and one or more vacuum ports preferably proximal and or distal to the cavity filling member such as described in U.S. Pat. No. 6,923,754 and application Ser. No. 10/849,410 filed on May 19, 2004, (now U.S. Pat. No. 6,955,641), both of which are assigned to the present assignee. Application of a vacuum within the inner lumen aspirates fluid in the cavity through one or more vacuum ports and the vacuum within the body cavity pulls tissue defining the cavity onto the exterior of the cavity filling member deployed within the cavity. The application of a vacuum may also be employed to aspirate fluids from the cavity or site.

A method for treating a body cavity or other intracorporeal site of a patient includes delivering a treatment agent such as a radiation source to a body cavity to treat the desired tissue while minimizing damaging irradiation of healthy tissues. More specifically, a method for treating a body cavity or intracorporeal site includes providing a device having an elongate shaft with a proximal end, a distal end, and a treatment location in a distal portion of the shaft. The method further includes providing a radiation source configured to be deposited in the treatment location and a radiation shielding component partially encircling the treatment location which is configured to control at least in part the emission of radiation emitted from the treatment location. The device is advanced within the patient until the treatment location of the device is deployed within the body cavity or site and the radiation source is positioned within the treatment location.

5

The radiation shielding component is positioned to shield portions of the body cavity from radiation emitted from the radiation source.

A patient's skin is susceptible to damage from radiation delivered by isotopes (e.g. seeds) or x-ray catheters in a lumen of a radiation balloon catheter if the radiation source is too close to the skin. Generally, radiation treatments using a radiation balloon catheter is usually not performed on patients where the body cavity (e.g. from a lumpectomy) is less than 5 mm, sometimes less than 7 mm from the patient's skin. Additionally, over inflation of the balloon can thin and stretch the skin. The application of a vacuum to the body cavity can help by pulling the tissue to the balloon and increased cavity to skin surface distances would result. However, in some instances it would still be too thin to treat. The number of potential patient's which are suitable candidates for treatments with the present device is significantly increased due to reducing the potential for skin tissue damage.

Placing patterns of radiation absorbing materials on the surface or within the wall of the balloon would aid in shielding the skin or in other cases, sensitive organs (e.g., heart, lung, ribs, etc.) from unnecessary radiation. Examples include—Mylar with aluminum, balloon coatings with gold, lead, titanium barium and barium sulfate or silver ions incorporated within the balloon wall.

The surface (inside or outside) of the balloon or within the balloon wall may be provided with indicator marks for location or orientation detection during the procedures. For example, dots or lines to help place balloon in appropriate position under CT, x-ray or fluoroscopy. The indicator marks may be radiopaque. Alternatively, or additionally, ultrasound indicators or MRI and direct visual indicators could be incorporated. The indicator marks may extend along the catheter shaft to help with placement of the catheter device during the treatment procedure and the orientation of the off set lumen and shield.

In other embodiments having features of the invention, the radiation shield may be secured to a control rod or band within the catheter device so that the location of the shield may be adjusted. Alternatively, the radiation shield may be secured within or onto the catheter device.

These and other advantages of the present invention are described in more detail in the following written description and the accompanying exemplary drawings.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a schematic view, partially in section, of a brachytherapy device embodying features of the invention including a cavity filling member.

FIG. 2 is a transverse cross sectional view of the device shown in FIG. 1 taken along lines 2-2 which illustrates the device with two inner lumens.

FIG. 3 is a transverse cross sectional view of an alternative device similar to the device shown in FIG. 1 having three lumens.

FIG. 4 is a transverse cross sectional view of an alternative device similar to the device shown in FIG. 1 having 5 lumens.

FIG. 5 is a transverse cross-sectional view of an alternative device having three lumens having circular transverse cross-sections and a pair of opposed arcuate inner lumens for radiation shielding component.

FIG. 6 is a transverse cross-sectional view of a device similar to that shown in FIG. 1 which has a plurality of arcuate

6

lumens with enlarged central portions which allow for the deployment of a radiation shield or a radiation source within the lumens.

FIG. 7 is an elevational view, partially in section, of a distal portion of an alternative design for a brachytherapy device wherein the shaft within the cavity filling member is deformed to place the radiation source closer to one side of the cavity filling member than an opposed site.

FIG. 7A is an enlarged longitudinal cross-section of the deformed shaft within the cavity filling member.

FIG. 8 is a transverse cross-sectional view of the device shown in FIG. 7 taken along the lines 8-8.

FIG. 9 is an elevational view of a distal portion of an alternative design for a brachytherapy device wherein the cavity filling member is asymmetric, or inflated to an asymmetric configuration to place the radiation source closer to one side of the body cavity or site.

FIG. 10 is a transverse cross-sectional view of the brachytherapy device shown in FIG. 9 taken along the lines 10-10.

FIG. 11 is a transverse cross-sectional view similar to that shown in FIG. 10 in which the interior of the cavity filling member is separated into two chambers by a membrane so that each chamber may be inflated, e.g. to different sizes.

FIG. 12 illustrates a shaft formed of a plurality of elongated elements with at least one of the elongated elements having an inner lumen configured to receive a radiation source.

FIGS. 13A-B illustrate another embodiment having features of the invention which has an outer catheter with a cavity filling member and an inner catheter with an inner lumen which is off set or off settable from a longitudinal axis.

FIG. 14A is a perspective view, partially in section, of an alternative device which has a plurality of radially extending tubular members for delivery of radiation sources.

FIG. 14B is a transverse cross-sectional view of the device shown in FIG. 14A taken along the lines 14B-14B.

FIG. 14C is a perspective view of a compartmented support member and tubular members which extend through an inflatable member.

FIG. 14D is a transverse cross-sectional view of the device shown in FIG. 14A taken along the lines 14D-14D.

#### DETAILED DESCRIPTION OF THE INVENTION

The present invention is directed to devices and methods for treatment of a patient's body cavity, particularly to deliver asymmetrical radiation into a biopsy cavity or into a cavity left after removal of tissue from the patient's body. Other body sites may also be treated.

FIGS. 1 and 2 illustrate a brachytherapy device 10 embodying features of the invention which has an elongated shaft 11 with a treatment location 12 in a distal portion 13 of the elongated shaft 11. The elongated shaft 11 has a first lumen 14 which is off set from central longitudinal axis 15 and which is configured to receive a radiation source 16. The radiation source 16 is disposed at the distal end of pusher rod 17 to facilitate deployment within the treatment location 12. The elongated shaft 11 also has a second lumen 18 for delivery of inflation fluid to the interior of the cavity filling member 19 through inflation port 20. The elongated shaft 11 may also have a third lumen 21 shown in phantom to provide a vacuum to a desired location such as vacuum ports 22 and 23 also shown in phantom which are proximal and/or distal to the cavity filling member 19 as described in U.S. Pat. No. 6,923,641 (assigned to the present assignee). The third lumen may also be utilized as an off-set lumen to receive a radiation source in the event the first lumen 14 is not in a desired location when the distal end of the device is placed in the



7

patient and the physician does not wish to rotate the device **10**. The proximal end of the elongated shaft **11** has a multi-arm adapter **24** for delivery of a vacuum, inflation fluid and radiation source as shown. The device **10** may also have one or more radiation shielding components (not shown) to further reduce radiation to tissue which is not to be treated. Suitable radiation shielding components are described in application Ser. No. 11/593,952 (now U.S. Pat. No. 7,407,476), entitled Tissue Irradiation With Shielding which has been assigned to the present assignee.

A body cavity within a patient may be treated with the device **10** by inserting the distal shaft portion **13** into the desired body cavity with the off-set first lumen **14** configured to receive the radiation source **16** being closer to a first tissue portion surrounding the cavity to be treated and farther away from a second tissue portion surrounding the cavity which needs to be protected. A radiation source **16** is advanced within the first lumen **14** until the radiation source is properly positioned within the treatment location **12** (or prepositioned therein). Inflation fluid is delivered to the interior of the cavity filling member **19** so as to at least partially fill the body cavity. A vacuum may be generated about the cavity filling member **19** through vacuum ports **22** and **23** to conform the tissue surrounding the cavity to the exterior of the cavity filling member. The radiation source **16** is maintained at the treatment location **12** for a prescribe period of time, usually less than 30 minutes and typically a few (5-10) minutes. At the end of the treatment time the radiation source may be removed from device **10** or the entire device may be withdrawn from the patient. Preferably, the device is left in place so that further radiation treatments may be performed.

FIG. 3 illustrates an elongated shaft **11a** of an alternative brachytherapy device which has three off-set lumens **25**, **26** and **27** that are equally disposed about the longitudinal axis **28**. The first off-set lumen **25** may be used as the radiation delivery lumen such as described above for first lumen **14**. The second and third off-set lumens **26** and **27** may be utilized for delivery of inflation fluid to the interior of a cavity filling member (not shown) or for delivery of a vacuum to vacuum ports (not shown) proximal or distal to the cavity filling member as described above. Additionally, a centrally located fourth lumen **29** (shown in phantom) may be provided as an alternative lumen for radiation delivery in the event an off-set location is not needed. The fourth lumen may also be employed as an inflation or vacuum lumen as described above, leaving one of the off-set lumens **26** and **27** to deliver a radiation source in the event the first off-set lumen is not in a desirable location when the device is deployed within the patient's body cavity.

FIG. 4 illustrates an elongated shaft **11b** of another alternative design of device **10** which has four off set lumens **30-33**, one central lumen **34** which is axially aligned with longitudinal axis **35**. The off set lumens **30-33** and central lumen **34** may be utilized as in the prior embodiments. This embodiment provides additional alternative lumens for delivery of a radiation source (not shown) as described above.

FIG. 5 illustrates yet another elongated shaft **11c** of an alternative design which has two off set lumens **36** and **37** and a central lumen **38** which have circular transverse cross-sections as shown. The off set and central lumens **36**, **37** and **38** may be utilized as described above. Additionally, at least one arcuate lumen **39** may be provided to facilitate placement of a radiation shield **40** as described in application Ser. No. 11/593,952 (now U.S. Pat. No. 7,407,476) entitled Tissue Irradiation With Shielding. A second arcuate lumen **41** at an opposed position within the shaft **11c** (shown in phantom) for

8

delivery of a radiation shield in the event the device is not placed in a desired orientation and the physician does not want to rotate the device.

FIG. 6 depicts another elongated shaft **11d** for an alternative brachytherapy device **10** which has a first arcuate lumen **42** with an enlarged central portion **43**. This first arcuate lumen **42** is design to slidably receive a radiation shielding member **44** and the enlarged central portion **43** is designed to slidably receive a radiation source **45** such as shown in second arcuate lumen **46** with enlarged central portion **47**. A central lumen **48** is axially disposed about the longitudinal axis **49** and may be utilized for delivery of inflation fluid or a vacuum to the distal portion of the device. This design allows for the flexibility of placing either a radiation source or a radiation shielding member on either side of the device. The central lumen **48** may alternatively be positioned off-set within the shaft **11d**. Other off-set lumens may be provided as described above with respect to the other embodiments.

FIGS. 7, 7A and 8 depict an alternative brachytherapy device **50** which has an elongated shaft **51** with a treatment location **52** in a distal portion **53** thereof. The shaft **51** is deformable within the treatment location **52**. The elongated shaft **51** has a first lumen **54** which is configured to receive a radiation source **55** to position a radiation source off set from the longitudinal axis **56**. The radiation source **55** has a standard pusher rod **57** to facilitate placement of the radiation source at the treatment location **52** within the first lumen **54**. The distal shaft portion **53** is deformed, i.e. radially deflected, by pull-wire **58** so that the treatment location **52** is off-set or further off set from the longitudinal axis **56**. The distal end of the pull-wire **58** has an enlarged hub which secures the distal end of the pull-wire within the shaft. The deformation of the distal shaft portion **53** places the radiation source **55** closer to one side of the cavity filling member **60** thereby reducing the radiation to tissue of the opposing side of the cavity. While only one pull-wire **58** is illustrated, multiple pull-wires may be employed about the longitudinal axis **56** to facilitate deformation of the distal shaft portion **53** in multiple directions. Other mechanical structures, may be provided to radially deflect the distal shaft portion **53** away from longitudinal axis **56**. Off-set lumen **61** leads to inflation port **62** for directing inflation fluid to the interior of the cavity filling member **60**. Off-set lumen **63** leads to vacuum port **64** (shown in phantom) proximal to the cavity filling member **60** to generate a vacuum within the body cavity to aspirate fluids and/or to conform surrounding tissue of the body cavity to the exterior of the cavity filling member **60**.

FIGS. 9 and 10 illustrate another brachytherapy device **70** embodying features of the invention. The device **70** has an elongated shaft **71**, a treatment location **72** in distal shaft portion **73**, a first lumen **74** configured to receive radiation source **76**, a second lumen **77** and a third lumen **78** and an asymmetrical cavity filling member **80**. The first lumen **74** is closest to the smaller side **81** of the cavity filling member **80** so that radiation through the smaller side **81** of the cavity filling member **80** to adjacent tissue is greater than the radiation through the larger side **82** to adjacent tissue. The larger side **82** of the cavity filling member **80** is placed next to tissue in which the radiation dose is to be minimized, whereas the smaller side **81** is positioned adjacent to tissue which is to receive a higher dose of radiation. The second and third lumens **77** and **78** may be utilized for vacuum and inflation fluid as discussed above with respect to other embodiments.

FIG. 11 shows an alternative brachytherapy device **90** which has an elongated shaft **91** with three inner lumens. Off set lumens **92** and **93** and centrally disposed lumen **94**. The first off set lumen **92** is for receiving a radiation source as

previously described. The second off set lumen **93** may be for vacuum, inflation fluid or as an alternative lumen for a radiation source. The central lumen **94** may be employed for vacuum, inflation fluid or alternatively a radiation source. The device **90** has a cavity filling member **95** which has inner membranes **96** and **97** which separate the interior of the cavity filling member into separate chambers **98** and **99**. Each chamber has separate sources (lumens) for inflation fluid so that one side **100** of the cavity filling member **95** may be inflated to one or more different sizes than an adjacent side **101**. As shown in phantom, the side **100** may be inflated to a smaller size **100a** or a larger size **100b**. Adjusting the sizes controls the location of the radiation source within a lumen. With a smaller size **100a**, the tissue to be treated adjacent to side **100** receives a higher radiation dose than tissue adjacent to side **101** which should be protected and given a smaller radiation dose. Alternatively, when chamber **98** is inflated so that side **100** is of a larger size, the tissue adjacent to side **100** will receive more radiation.

FIG. **12** depicts an elongate shaft **11e** of an alternative device which comprises a plurality of elongated tubular elements **110**, **111**, **112** and **113**. At least one of the elongated elements **110** has a first inner lumen **114** configured for receiving a radiation source such as described above for the other embodiments. The other elongated elements may also have inner lumens **115-117** for delivery of inflation fluid to a cavity filling member (not shown) on a distal portion of the shaft, for delivery of a vacuum to a vacuum port proximal or distal to the cavity filling member or an additional lumen for receiving a radiation source. The plurality of elements **110-113** may be bundled together by one or more outer straps or bands or by an outer sheath or by a suitable adhesive. The plurality of elongated elements of the shaft may be twisted or braided together. Tubular element **110** (as well as **111-113**) may be radially deflected as depicted in FIG. **7** to position the first inner lumen closer to the first tissue portion surrounding the body cavity than the second tissue portion.

FIGS. **13A-B** illustrate a brachytherapy device **120** which has an outer catheter **121** with an inner lumen **122** and an inner catheter **123** which is configured to be rotatably disposed within the inner lumen **122**. The outer catheter **121** has an inflatable cavity filling member **124** on a distal portion **125** of shaft **126**. The wall of shaft **126** has at least one lumen **127** for directing inflation fluid to the interior of the cavity filling member **124**. The outer catheter **121** also has vacuum ports **128** and **129** proximal and distal to the cavity filling member **124**. The wall of shaft **126** has at least one lumen **131** which is in fluid communication with a vacuum port and preferably two lumens. The inner catheter **123** has an elongated shaft **132** with an offset lumen **133** and may also have a central lumen **134** configured for receiving a radiation source to provide an asymmetrical radiation dose about longitudinal axis **135**.

FIGS. **14A-14D** illustrate an alternative device **140** which has an elongated shaft **141**, a cavity filling balloon **142** on the distal portion of the shaft and an adapter **143** on the proximal end of shaft **141**. A plurality of tubes **144-148** extend into the adapter **143** and are in fluid communication with lumens **150-154** respectively within the shaft **141** which are configured to receive radiation sources (not shown) such as those previously described. The device **140** also has an inflation tube **149** which is in fluid communication with lumen **155** that extends to and is in fluid communication with the interior of the balloon **142** to facilitate delivery of inflation fluid thereto. The adapter **143** has a vacuum arm **156** that is in fluid communication with lumens **157** and **158**. Lumen **158** is in fluid communication with proximal vacuum port **160** and lumen **157** is in fluid communication with tubular member **161**

which in turn is in fluid communication with distal vacuum port **162**. Radiation delivery tubes **163-167** are in fluid communication with lumens **150-154**. Radiation tube **163** and **164** are radially extended within the interior of balloon **142** in order to be closer to a first tissue portion surrounding a body cavity as previously described. While tubes **163** and **164** are shown as being radially extended within the balloon **142**, one radiation delivery tube or more than two radiation delivery tubes may radially extend within the balloon **142** depending upon the need for a particular treatment.

A compartmented support element **168** extends between the proximal and distal ends of the balloon **142**. The support element **168** shown has nine compartments **170-174** which are designed to receive tubular radiation delivery members **163-167** respectively. The device **140** may be assembled with the radial extension of radiation delivery tubes **144** and **145** fixed as shown or they may be slidable within the catheter shaft **141** so that the radial extension of these delivery tube be effected during the procedure. The radial extension of the radiation delivery tubes will not usually extend to contact the interior surface of the inflated balloon **142**.

The radiation delivery tubes **144-148**, which extend into the adapter **143**, may extend through the lumens in shaft **141** and may form tubes **163-167** which are received by the support member **163**.

All of the radiation delivery tubes which extend through the interior of the balloon **142** would not necessarily be used in a procedure and in fact would probable not be used. However, they would be available for use by the physician if needed, e.g. when the catheter is not in a desired position and rotation of the catheter is not appropriate or desirable. The shaft **141** is shown as a solid shaft having a plurality of passageways. However, the shaft **141** may be made more flexible by utilizing a plurality of tubes which are bundled together form the shaft as shown in FIG. **12**.

The radiation source **16** for the brachytherapy device **10** can include a solid or liquid radiation source. Suitable liquid radiation sources include, for example, a liquid containing a radioactive iodine isotope (e.g.,  $I^{125}$  or  $I^{131}$ ), a slurry of a solid isotope, for example,  $^{198}Au$  or  $^{169}Yb$ , or a gel containing a radioactive isotope. Liquid radiation sources are commercially available (e.g., Iotrex®, Proxima Therapeutics, Inc., Alpharetta, Ga.). The radiation source **16** preferably includes brachytherapy seeds or other solid radiation sources used in radiation therapy, for example, a radioactive microsphere available from 3M Company of St. Paul, Minn. Microminature x-ray source may also be utilized. The radiation source **16** may be either preloaded into the device **10** at the time of manufacture or may be loaded into the device **10** before or after placement into a body cavity or other site of a patient. Solid radionuclides suitable for use with a device **10** embodying features of the present invention are currently generally available as brachytherapy radiation sources (e.g., I-Plant™, Med-Tec, Orange City, Iowa.). Radiation may also be delivered by a device such as the x-ray tube of U.S. Pat. No. 6,319,188. The x-ray tubes are small, flexible and are believed to be capable of being maneuverable enough to reach the desired location within a patient's body.

The brachytherapy device **10** having features of the invention can be provided with a lubricious coating, such as a hydrophilic material. The lubricious coating preferably is applied to the elongate shaft **12** or to the cavity filling member, if one is present, or both to reduce sticking and friction during insertion of a device **10**. Hydrophilic coatings such as those provided by AST, Surmodics, TUA Systems, Hydromer, or STS Biopolymers are suitable.

## 11

A device **10** having features of the invention may also include an antimicrobial coating that covers all or a portion of the device **10** to minimize the risk of introducing of an infection during extended treatments. The antimicrobial coating preferably is comprised of silver ions impregnated into a hydrophilic carrier. Alternatively the silver ions are implanted onto the surface of the device **10** by ion beam deposition. The antimicrobial coating preferably is comprised of an antiseptic or disinfectant such as chlorhexadiene, benzyl chloride or other suitable biocompatible antimicrobial materials impregnated into hydrophilic coatings. Antimicrobial coatings such as those provided by Spire, AST, Algon, Surfactine, Ion Fusion, or Bacterin International would be suitable. Alternatively a cuff member covered with the antimicrobial coating is provided on the elongated shaft of the delivery device **10** at the point where the device **10** enters the skin.

While particular forms of the invention have been illustrated and described herein, it will be apparent that various modifications and improvements can be made to the invention. Some details of the brachytherapy devices have not been disclosed. To the extent not otherwise disclosed herein, materials and structure may be of conventional design.

Moreover, individual features of embodiments of the invention may be shown in some drawings and not in others, but those skilled in the art will recognize that individual features of one embodiment of the invention can be combined with any or all the features of another embodiment. Accordingly, it is not intended that the invention be limited to the specific embodiments illustrated. It is therefore intended that this invention be defined by the scope of the appended claims as broadly as the prior art will permit.

Terms such as “element”, “member”, “component”, “device”, “means”, “portion”, “section”, “steps” and words of similar import when used herein shall not be construed as invoking the provisions of 35 U.S.C §112(6) unless the following claims expressly use the terms “means for” or “step for” followed by a particular function without reference to a specific structure or a specific action. All patents and all patent applications referred to above in this application as filed are hereby incorporated by reference in their entirety.

What is claimed is:

1. A brachytherapy device for treating tissue surrounding a body cavity of a patient, comprising:

- a) a shaft having a proximal end, a distal end, a distal treatment portion proximal the distal end, and a longitudinal axis, the shaft having a plurality of off-set radiation delivery lumens radially off-set from the longitudinal axis that extend into the distal treatment portion, each of the plurality of off-set radiation delivery lumens being configured to receive a radiation source, wherein the plurality of off-set radiation delivery lumens are deformable into an arcuate shape;
- b) an expandable member coupled to the shaft to define an expandable volume that surrounds the distal treatment portion, the expandable member being configured to increase space between the expandable member and the plurality of off-set radiation delivery lumens as the expandable member is expanded.

2. A brachytherapy device for asymmetrical irradiation of a body cavity, comprising:

- an elongated shaft having a proximal end, a distal end, and a distal shaft portion proximal to the distal end, the elongated shaft having a centrally located longitudinal axis; and
- an expandable member coupled to the elongated shaft, the expandable member configured to have a deflated con-

## 12

dition and an inflated condition to define an expandable volume at the distal shaft portion, the elongated shaft including:

- a plurality of off-set radiation delivery lumens radially off-set from the longitudinal axis having a treatment portion positioned within the expandable volume defined by the expandable member, the plurality of off-set radiation delivery lumens being configured to extend longitudinally at least from the proximal end of the elongated shaft and into the distal shaft portion, with each off-set radiation delivery lumen of the plurality of off-set radiation delivery lumens being configured to selectively receive a radiation source and guide the radiation source into the treatment portion, and wherein the plurality of off-set radiation delivery lumens are deformable into an arcuate shape, and an inflation lumen configured to extend longitudinally at least from the proximal end of the shaft, the inflation lumen being coupled in fluid communication with the expandable volume defined by the expandable member, and configured for connection to an inflation fluid source the expandable member being configured to increase space between the expandable member and the plurality of off-set radiation delivery lumens as the expandable member is expanded.

3. The brachytherapy device of claim **2**, further comprising a central radiation delivery lumen configured to extend longitudinally on the longitudinal axis at least from the proximal end of the shaft and into the distal shaft portion, the plurality of off-set radiation delivery lumens being radially off-set from the central radiation delivery lumen, the central radiation delivery lumen being configured to selectively receive a radiation source.

4. The brachytherapy device of claim **3**, wherein each of the plurality of off-set radiation delivery lumens and the central radiation delivery lumen extends longitudinally across the expandable volume defined by the expandable member.

5. The brachytherapy device of claim **2**, wherein each of the plurality of off-set radiation delivery lumens is located at a respective fixed position relative to the longitudinal axis.

6. The brachytherapy device of claim **2**, wherein each of the plurality of off-set radiation delivery lumens has a respective proximal portion that extends proximally from the proximal end of the elongated shaft.

7. The brachytherapy device of claim **6**, wherein at least the respective proximal portion of each of the plurality of off-set radiation delivery lumens is flexible to facilitate movement of the respective proximal portion relative to the elongated shaft.

8. The brachytherapy device of claim **2**, wherein the plurality of off-set radiation delivery lumens radially off-set from the longitudinal axis consists of three off-set radiation delivery lumens equally disposed around the longitudinal axis.

9. The brachytherapy device of claim **2**, wherein the plurality of off-set radiation delivery lumens radially off-set from the longitudinal axis includes at least three off-set radiation delivery lumens equally disposed around the longitudinal axis.

10. The brachytherapy device of claim **2**, wherein the expandable member is a balloon.

11. A brachytherapy device for asymmetrical irradiation of a body cavity, comprising:

- a flexible elongated shaft having a proximal end, a distal end, and a distal shaft portion proximal to the distal end; and
- an expandable member coupled to the elongated, the expandable member configured to have a deflated con-

## 13

dition and an inflated condition to define an expandable volume at the distal shaft portion, the elongated shaft including:

a central radiation delivery lumen and a plurality of off-set radiation delivery lumens radially off-set from the central radiation delivery lumen having a treatment portion positioned within the expandable volume defined by the expandable member, the treatment portion being configured to be spaced apart from the expandable member as the expandable member is expanded to the inflated condition, each off-set radiation delivery lumen of the plurality of off-set radiation delivery lumens and the central radiation delivery lumen being configured to extend longitudinally at least from the proximal end of the elongated shaft and into the distal shaft portion, with each radiation delivery lumen being configured to selectively receive at least one radiation source and guide the at least one radiation source into the treatment portion, and an inflation lumen configured to extend longitudinally at least from the proximal end of the shaft, the inflation lumen being coupled in fluid communication with the expandable volume defined by the expandable member, the inflation lumen being configured for connection to an inflation fluid source, and wherein the plurality of off-set radiation delivery lumens are deformable into an arcuate shape.

12. The brachytherapy device of claim 11, wherein each of the plurality of off-set radiation delivery lumens and the central radiation delivery lumen extends longitudinally across the expandable volume defined by the expandable member.

13. The brachytherapy device of claim 11, wherein each of the plurality of off-set radiation delivery lumens and the central radiation delivery lumen is located at a respective fixed position relative to a longitudinal axis of the flexible elongated shaft.

## 14

14. The brachytherapy device of claim 11, wherein each of the central radiation delivery lumen, the plurality of off-set radiation delivery lumens, and the inflation lumen has a respective proximal portion that extends proximally from the proximal end of the flexible elongated shaft.

15. The brachytherapy device of claim 14, wherein at least the respective proximal portion of each of the central radiation delivery lumen, the plurality of off-set radiation delivery lumens, and the inflation lumen is flexible to facilitate movement of the respective proximal portion relative to the elongated shaft.

16. The brachytherapy device of claim 11, wherein the plurality of off-set radiation delivery lumens consists of three radiation delivery lumens equally disposed around the central radiation delivery lumen.

17. The brachytherapy device of claim 11, wherein the plurality of off-set radiation delivery lumens includes at least three off-set radiation delivery lumens equally disposed around the central radiation delivery lumen.

18. The brachytherapy device of claim 11, wherein each of the plurality of off-set radiation delivery lumens includes an arcuate portion surrounded by the expandable member.

19. The brachytherapy device of claim 2, wherein each of the plurality of off-set radiation delivery lumens comprises an enlarged central portion, wherein the enlarged central portion is disposed along a length of each of the plurality of off-set radiation delivery lumens.

20. The brachytherapy device of claim 11, wherein each of the plurality of off-set radiation delivery lumens comprises an enlarged central portion, wherein the enlarged central portion is disposed along a length of each of the plurality of off-set radiation delivery lumens.

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